1984 Manitoba

Crown Land Classification Committee

# POLICY & PROCEDURES MANUAL

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

## Preface

INTRODUCTION

The management and administration of Crown land is shared by the Departments of Natural Resources and Agriculture. The Agricultural Crown Lands Branch issues agricultural leases and permits of occupation or use for those Crown lands which are designated by the Minister of Natural Resources as: primarily agricultural lands; and multiple use lands which may be used for agricultural purposes on an interim or secondary use basis, subject to specific conditions and covenants required by other resource users.

The principal responsibility for Crown land remains with the Department of Natural Resources, which administers the Crown Lands Act excepting those specific sections under the responsibility of the Minister of Agriculture.

The classifying to use of Crown land in Agro-Manitoba is the responsibility of the Crown Land Classification Committee. This is an interdepartmental Committee with representation from the Departments of Agriculture, Natural Resources and Municipal Affairs. The Crown Land Classification Committee reports to and receives its direction from the Provincial Land Use Committee of Cabinet.

PURPOSE OF MANUAL

This manual describes the authority, policy and procedures and related processes used by the Crown Land Classification Committee, Bloc Planning Committees and related departments in the planning, administration and management of Crown land as it relates to land use.

While the contents of this manual reflects present methods and processes, they are not static but will change as policy, administrative and legal constraints and priorities are modified, adjusted or altered.

This manual should be viewed as a communication and information medium which serves as a standard. The manual is an introduction, reference and instruction piece.

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# Acknowledgements

The Crown Land Classification Committee would like to thank Clara Marriott for her time, effort and patience in the typing and re-typing of this manual. Her co-operation has been greatly appreciated.

The Committee would like to thank and to recognize the excellent work of Horst Schell. All drafting, preparation for printing and page design is credited to Mr. Schell. The Committee would also like to acknowledge Horst's ealier work on the cover design which the Committee uses for all of its formal reports and which is used here on the binder for this manual.

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**Chapter** ..... I. PROVINCIAL FRAMEWORK FOR CROWN LAND PLANNING

**Section** ..... A. Introduction

## A. INTRODUCTION

The Provincial Government's organizational structure for land use planning for Crown and patented land, in Manitoba, is designated primarily to:

1. Co-ordinate and expedite the planning effort at the provincial level.

2. Provide leadership by stating its own policies and priorities regarding land use, and

3. Protect provincial interests and investments.

The structure as presently established, includes the Provincial Land Use Committee of Cabinet (PLUC), the Interdepartmental Planning Board (IPB) and various Working Groups reporting to PLUC, of which the Crown Land Classification Committee (CLCC) is one such Sub-committee (Figure 1-1).

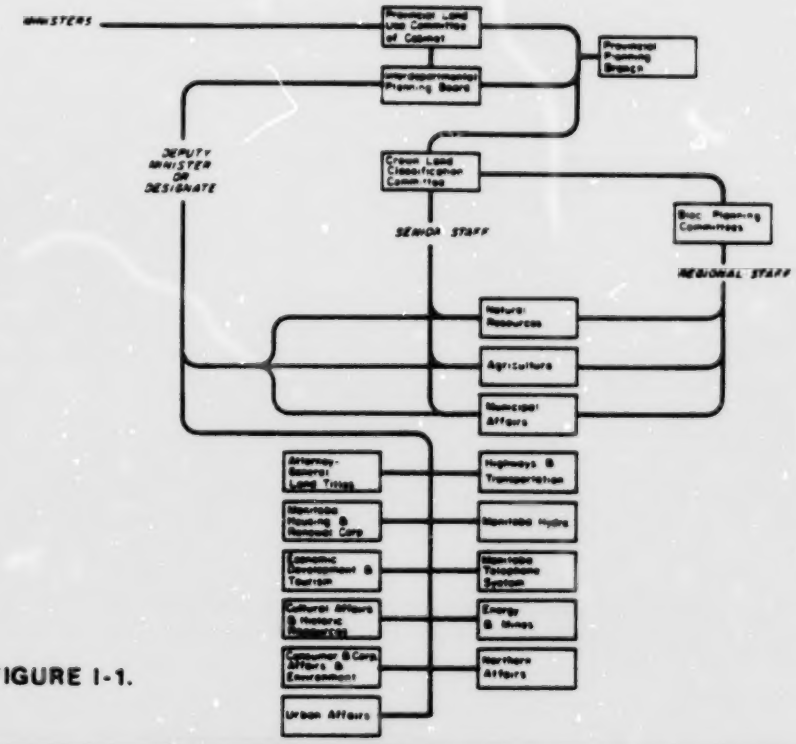


**FIGURE 1-1.**

## B. ORGANIZATIONAL FRAMEWORK AND RESPONSIBILITIES

The *Provincial Land Use Committee of Cabinet* (PLUC) is composed of Ministers who are appointed by Order-in-Council. The ministers normally represent resource related departments.

The Committee is structured and functions as a senior co-ordinating mechanism for the development and recommendation of land use policy proposals, projects and legislation. In summary, the functions of the Committee include:

1) To establish and revise the Provincial Land Use Policies and any other necessary policies on land use.

2) To resolve land use issues involving more than one department.

3) To assess the land use/environmental impacts of some major projects.

4) To advise the Minister of Municipal Affairs regarding -

   a) the approval of municipal development plans,
   b) the approval of subdivision applications,
   c) the transfer of subdivision approving authority to planning districts.

5) To supervise the work of the Interdepartmental Planning Board (IPB) of deputy ministers.

6) To supervise the Crown Land Classification Committee in the planning and sale of Crown land.

The *Interdepartmental Planning Board* (IPB) members are appointed by Order-in-Council. They include the deputy ministers from the resource departments and representation from three Crown agencies.

### Responsibilities

The Interdepartmental Planning Board is appointed under The Planning Act and has evolved to the point where the Board is playing an important role in:

1) providing interdepartmental and inter-agency coordination in the development and implementation of land use policies and programs;

2) providing an interdisciplinary context within which various land use proposals can be reviewed and adjusted before being recommended to the Provincial Land Use Committee;

3) providing one point of contact for municipalities, utilities, private developers, etc. when they are developing plans or projects which ultimately require provincial approval or review;

4) providing an arena for information exchange where deputies and departments can be kept up to date on a number of land related issues;

5) reviewing municipal development proposals including those of the City of Winnipeg:

6) providing co-ordination with Federal Government and other provinces where necessary.

Typical Review Process

A department or municipality submits a project or plan to the Inter-departmental Planning Board for review. The Provinciel Planning Branch co-ordinates the circulation of the plan to members of the IPB.

Once comments have been received, the Provincial Planning Branch works with the relevant parties to resolve any concerns or problems raised during the circulation.

Major differences that cannot be solved in this way are taken to the Interdepartmental Planning Board for resolution. Recommendations are then forwarded by the Interdepartmental Planning Board to the Provincial Land Use Committee of Cabinet for formal approval. Any remaining issues are resolved by the Cabinet Committee.

The *Crown Land Classification Committee* (CLCC) reports to and receives its direction from the Provincial Land Use Committee. Its membership as established by the Provincial Land Use Committee includes the following:

a) three members from the Department of Natural Resources;
b) two members from the Department of Agriculture, and
c) one member from the Department of Municipal Affairs.

In addition to the above, a Department of Natural Resources, Lands Branch Administrator also sits on the Committee when dealing with Crown lands sales and exchanges.

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Chapter ..... I. PROVINCIAL FRAMEWORK FOR CROWN LAND PLANNING

Section ..... B. Organizational Framework and Responsibilities

While the general composition of the Committee has been established by the Provincial Land Use Committee, the specific members on the Crown Land Classification Committee are appointed by the respective departments.

The principal duties of the Crown Land Classification Committee are:

1. The ongoing recommendation of Crown land use, policy and guidelines for Agro-Manitoba and classification of commercial agricultural proposals in Northern areas.

2. To prepare and maintain Operational Crown Land Use Classification Plans (Operational Plans) and to make Crown land use decisions, determine procedures and methods to resolve land use problems and to ensure uniform, and equitable decision making consistent with Provincial Land Use Committee policy and directives.

3. To prepare formal Provincial Crown Land Use Classification Plans (Provincial Plans) and ensure that these plans are reviewed by Local Councils, Planning District Boards and Provincial Government Departments and Agencies.

4. To amend and maintain approved Provincial Crown Land Use Classification Plans.

5. To review any major designation of Crown land to use in Agro-Manitoba, that is Provincial Forests, Wildlife Management Areas, Community Pastures, Provincial Parks, etc.

6. To formulate guidelines, procedures and directives for the planning of Crown lands by Bloc Planning Committees and associated regional field staff.

7. To review land purchases for resource use, land exchanges involving Crown land and all agricultural Crown land sales and to make recommendations on lands suitable for sale within Provincial Land Use Committee policy and directives.

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**Chapter** ..... I. PROVINCIAL FRAMEWORK FOR CROWN LAND PLANNING

**Section** ..... B. Organizational Framework and Responsibilities

The *Bloc Planning Committee* (BPC) has been established by the Crown Land Classification Committee to expedite the planning of Crown land at the regional level. There are Bloc Planning Committees for most areas of the Province. The composition of each Bloc Planning Committee is established by the Crown Land Classification Committee. The specific members on each Bloc Planning Committee are appointed by the appropriate Departments. The present structure includes:

a) two members from the Department of Agriculture; one from the Agricultural Crown Lands Branch and one from Agriculture general,

b) two members from the Department of Natural Resources; one from the Lands Branch and one from the Wildlife or Forestry Branch, and

c) one member from the Department of Municipal Affairs; the appropriate Senior District Planner.

The principal duties of the Bloc Planning Committees are:

1. To represent the Crown Land Classification Committee in the regions within the guidelines and procedures and delegated authority approved by the Crown Land Classification Committee for the Bloc Planning Committee.

2. To recommend operational land use classifications for the Crown land in their respective areas.

3. To periodically review existing operational classifications and provide recommended changes on a yearly basis.

4. To monitor the implementation of approved land use decisions of the Crown Land Classification Committee at the field level.

5. To review with local municipal councils the Crown land classifications and plans as directed by the Crown Land Classification Committee.

6. To undertake studies and prepare plans which the Crown Land Classification Committee may request.

7. To review all agricultural Crown land sales and to make appropriate recommendations on their suitability for sale, and

8. To review proposed land exchanges involving Crown land.

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# Crown Land Classification Committee
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**Chapter** ..... II. CROWN LAND CLASSIFICATION COMMITTEE STRUCTURE

**Section** ..... A. Introduction

## A. INTRODUCTION

The organizational structure established to plan and classify Crown land is comprised of two committees. The Crown Land Classification Committee is established by the Provincial Land Use Committee and Bloc Planning Committees are established by the Crown Land Classification Committee.

The Crown Land Classification Committee has its membership composition approved by the Provincial Land Use Committee with appointments the responsibility of the appropriate departments. Internally, the Crown Land Classification Committee has a Chairman and Vice-Chairman. Additionally, the Committee has a Secretary and Crown Land Co-ordinator as staff of the Committee. The Chairman and Vice-Chairman are elected by the Committee for a period determined by the Committee. The Secretary and Crown Land Co-ordinators are selected by the CLCC from the participating Departments and designated by the appropriate authority.

There are six (6) voting members on the Committee when dealing with issues not related to Crown land sales or exchanges. For sales and exchanges there are seven (7) voting members. The seventh member is the Lands Administrator. Each member has only one vote, including the Chairman, even when votes may be tied.

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Chapter ..... II. CROWN LAND CLASSIFICATION COMMITTEE STRUCTURE

Section ..... B. Role of Chairman, Vice-Chairman, Secretary and Crown Land Co-ordinator

## B. ROLE OF CHAIRMAN, VICE-CHAIRMAN, SECRETARY, AND CROWN LAND CO-ORDINATOR

Chairman:

1. Signs official documents
2. Controls meetings relative to guests, agenda and time
3. Official contact with Ministers
4. As the Committee operates as a whole the Chairman is a full participant

Vice-Chairman:

Those duties and functions in the absence of the Chairman or at the request of the Chairman.

Secretary:

1. Records minutes of meetings
2. Arranges meetings, prepares agenda and materials for meetings
3. Follow up after meetings on all actions as required
4. Contact for Bloc Planning Committees, and others who wish to deal with the Committee
5. Ensures all submissions to the Crown Land Classification Committee are prepared in a proper manner
6. Maintains all Committee files

Crown Land Co-ordinator:

1. In general, to expedite and co-ordinate Crown land use decisions made under the authority and guidance of the Crown Land Classification Committee and to be an ex-officio member of all Bloc Planning Committees
2. Ensures the land use classification codes are properly recorded and monitors their implementation
3. Ensures the implementation of Crown Land Classification Committee guidelines and instructions with Bloc Planning Committees
4. Ensures provincial uniformity of Crown land use planning at the regional level
5. Ensures the continuing operation of Bloc Planning Committees
6. Reviews Bloc Planning Committee decisions to ensure uniformity with Crown Land Classification Committee guidelines
7. Expedites Bloc Planning Committee planning and decision making
8. Prepares Provincial Crown Land Use Classification Plans
9. Co-ordinates plan review and amendments to plans
10. Prepares the comment summary sheets on Agricultural Crown Land Sales and LGD Exchange Lands
11. Prepares Agricultural Sales Appeals

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Chapter ..... II. CROWN LAND CLASSIFICATION COMMITTEE STRUCTURE

Section ..... C. Membership on the Crown Land Classification Committee

## C. MEMBERSHIP OF THE CROWN LAND CLASSIFICATION COMMITTEE

1. M. Boreskie, Senior Socio-Economic Analyst, Provincial Planning Branch, Department of Municipal Affairs
2. L. Colpitts, Chief, Habitat Management, Wildlife Branch, Department of Natural Resources
3. G. Lahaie, Acting Director, Agricultural Crown Lands Branch, Department of Agriculture
4. D. Rannard, Director, Forestry Branch, Department of Natural Resources
5. G. Somers, Chief of Agro Land Planning and Development, Soils and Crop Branch, Department of Agriculture
6. R. Thomasson, Chief, Land Use Planning Resource Allocation and Planning Branch, Department of Natural Resources

Additionally when dealing with administration of Crown land sales/exchanges:

R. Winstone, Chief, Crown Lands Administration, Lands Branch, Department of Natural Resources

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**Section** ..... D. Committee Positions and Staff

## D. COMMITTEE POSITIONS AND STAFF

| | |
|---|---|
| Chairman: | R. Thomasson, Chief, Land Use Planning Resource Allocation & Planning Branch |
| Vice-Chairman: | G. Lahaie, Acting Director, Agricultural Crown Lands Branch |
| Secretary: | W. Barto, Resource Allocation and Planning Branch |
| Crown Land Co-ordinator: | W. Barto, Resource Allocation and Planning Branch |

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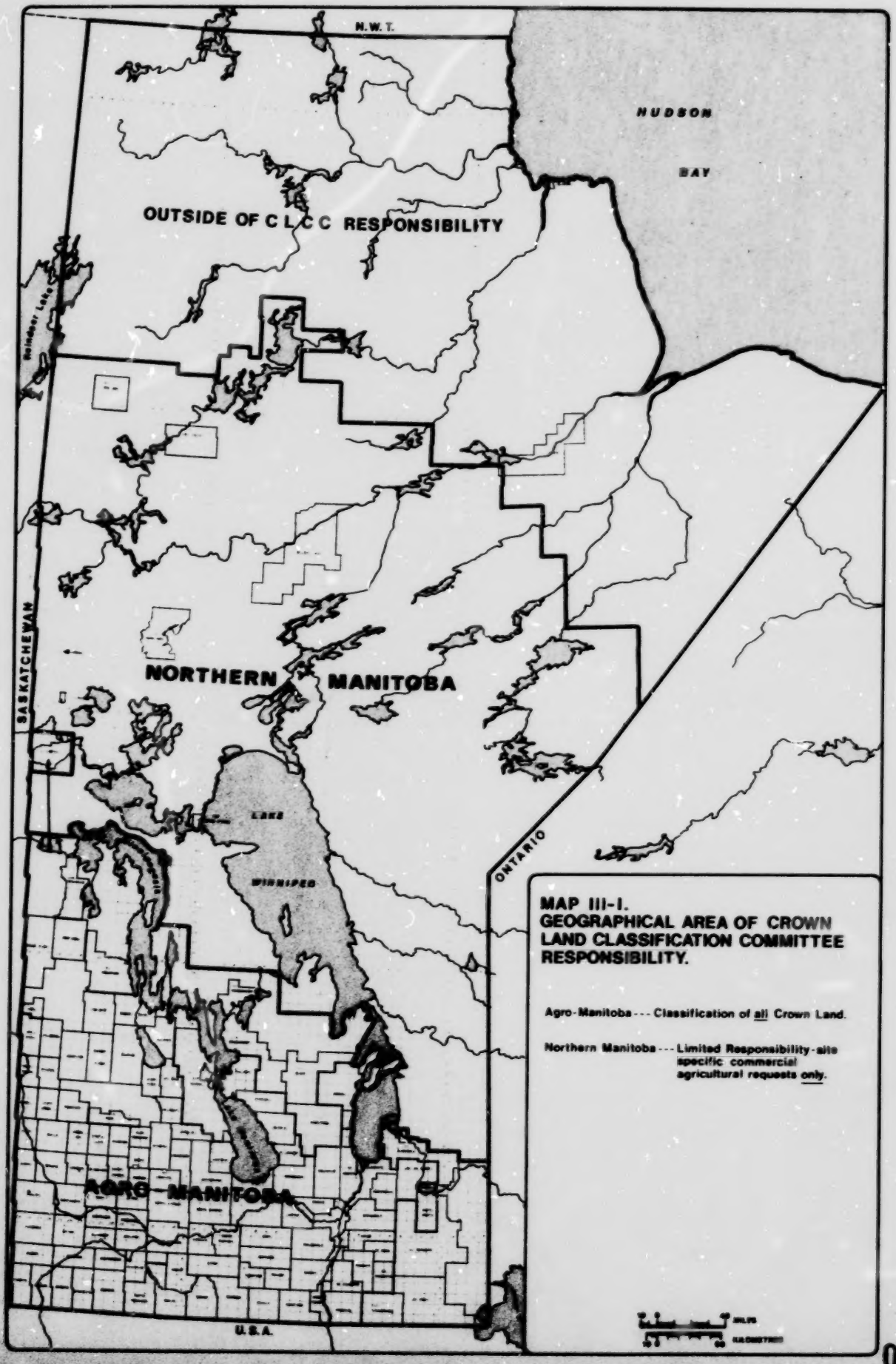
Chapter ..... III. GEOGRAPHICAL AREA OF CROWN LAND CLASSIFICATION COMMITTEE RESPONSIBILITY

The Crown Land Classification Committee is responsible for all Crown land use classification and planning in Agro-Manitoba. In addition, the Committee is responsible for classifying to use Crown lands which may have agricultural capability in the remaining area of Manitoba on a site specific basis, Map III-1.

In this context, Agro-Manitoba is considered, in general, to include all organized rural municipalities (RM's) and local government districts (LGD's) south of township 47 and the fringe unorganized area adjacent to these RM's and LGD's. In addition, the LGD of Consol and a fringe area surrounding this LGD is also considered Agro-Manitoba. Within the Agro-Manitoba boundary, all Crown lands will be classified as to land use.

The remaining area of Manitoba for which the Crown Land Classification Committee has some responsibility is presently limited to the permanent forest zone (Northern Manitoba) of the Province not within the geographical definition of Agro-Manitoba.

For the area identified outside of Agro-Manitoba, the Crown Land Classification Committee will only undertake land use classification of Crown land on a site specific basis. This means that only upon application for commercial agriculture use of an area greater than or equal to five (5) acres will the Crown Land Classification Committee undertake to determine agricultural suitability and classify the land for use.


N.W.T.
HUDSON
BAY
OUTSIDE OF C L C C RESPONSIBILITY
Reindeer Lake
SASKATCHEWAN
NORTHERN MANITOBA
LAKE
WINNIPEG
ONTARIO
AGRO-MANITOBA
U.S.A.
MAP III-1.
GEOGRAPHICAL AREA OF CROWN LAND CLASSIFICATION COMMITTEE RESPONSIBILITY.
Agro-Manitoba --- Classification of all Crown Land.
Northern Manitoba --- Limited Responsibility-site specific commercial agricultural requests only.

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**Chapter** ..... IV. BLOC PLANNING COMMITTEE STRUCTURE

**Section** ..... A. Introduction

## A. INTRODUCTION

The Crown Land Classification Committee has established eight (8) Bloc Planning Committees to cover most regions of the province. The basic membership includes two members from the Department of Agriculture, two members from the Department of Natural Resources and one member from the Department of Municipal Affairs. In addition, the Crown Land Classification Committee's Crown Land Co-ordinator is an ex-officio member of all Bloc Planning Committees.

Appointment of members to each Bloc Planning Committee is the responsibility of the appropriate department.

Internally, each Bloc Planning Committee has a Chairman and Secretary who are elected by the Bloc Planning Committee members. Election of Chairman and Secretary positions is for a period of two years.

There are only five (5) voting members on the Committee. While each member may have any number of alternates only five votes may be cast, two from the Department of Agriculture and two from the Department of Natural Resources and one from Municipal Affairs. The Chairman has only one vote. There are no tie breaking procedures.

## B. ROLE OF CHAIRMAN, SECRETARY AND ALTERNATES

Chairman:

1. Signs official documents
2. Controls meetings relative to guests, agenda and time
3. Official contact with the Crown Land Classification Committee
4. Official contact for field staff
5. As the Committee operates as a whole, the Chairman is a full participant

Secretary:

1. Record minutes of meetings
2. Arrange meetings, prepare agenda and materials for the meetings
3. Completes those tasks as directed by the Committee, as a result of meetings
4. Maintains all Bloc Planning Committee files

Other tasks, records, etc. which a particular Bloc Planning Committee may wish to undertake or maintain shall be assigned as determined by the Committee at large.

Members and Alternates

Each member of the Bloc Planning Committee may have an alternate(s). The role of each member and alternate(s) shall be to represent his Branch by providing professional and technical information relative to his discipline and expertise.

The alternates may participate in all Bloc Planning Committee meetings.

Alternates also have the responsibility of representing their regular members when they are unable to attend Bloc Planning Committee meetings.

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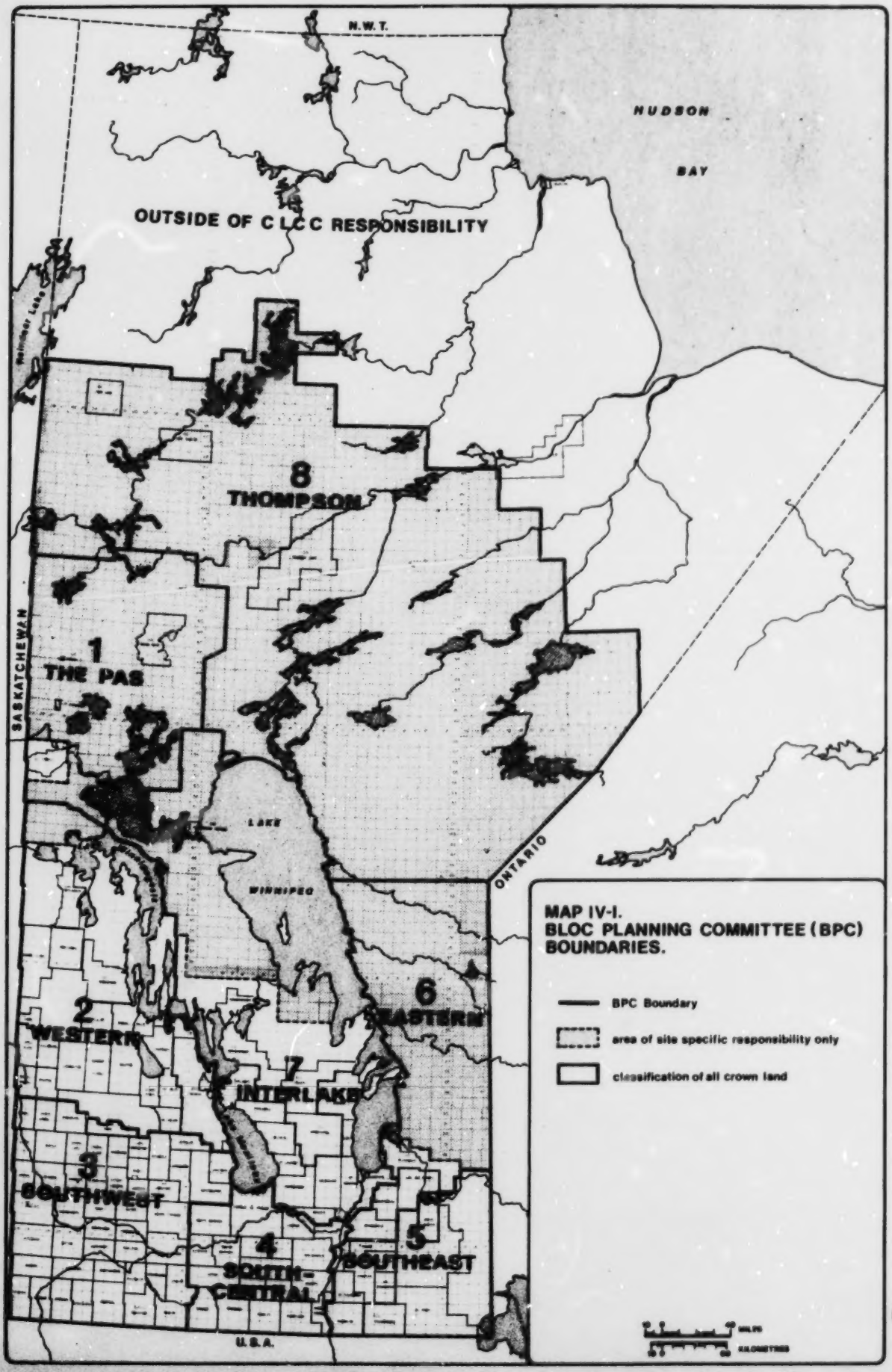
**Section** ..... C. Bloc Planning Committee Boundaries

## C. BLOC PLANNING COMMITTEE BOUNDARIES

There are eight Bloc Planning Committees, each responsible for a specific geographical area of the Province, Map IV-1. Each Bloc Planning Committee has been assigned a number and name.


N.W.T.
HUDSON
BAY
OUTSIDE OF C L C C RESPONSIBILITY
8
THOMPSON
1
THE PAS
SASKATCHEWAN
LAKE
WINNIPEG
ONTARIO
2
WESTERN
6
EASTERN
7
INTERLAKE
3
SOUTHWEST
4
SOUTH-
CENTRAL
5
SOUTHEAST
U.S.A.
MAP IV-I.
BLOC PLANNING COMMITTEE (BPC)
BOUNDARIES.
BPC Boundary
area of site specific responsibility only
classification of all crown land

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Section ..... D. Membership on Bloc Planning Committees

## D. MEMBERSHIP ON BLOC PLANNING COMMITTEES

BPC #1, THE PAS

MEMBERS:

D. Dunnigan, Land Manager, Department of Natural Resources
D. Robertson, Wildlife Specialist, Department of Natural Resources
N. Bell, Land Resource Specialist, Department of Agriculture
G. Stanger, Land Representative, Department of Agriculture
S. Houghton, Senior District Planner, Department of Municipal Affairs

ALTERNATES:

D. Lamb, Regional Forester, Department of Natural Resources
B. Wright, Fisheries Manager, Department of Natural Resources
J. Hiebert, Regional Parks Planner, Department of Natural Resources
J. Toole, Water Manager, Department of Natural Resources

BPC #2, WESTERN

MEMBERS:

L. Misanchuk, Land Manager, Department of Natural Resources
D. Davies, Wildlife Specialist, Department of Natural Resources
N. Bell, Land Resource Specialist, Department of Agriculture
B. Fleming, Regional Supervisor, Department of Agriculture
M. Borgfjord, Senior District Planner, Department of Municipal Affairs

ALTERNATES:

G. McColm, Regional Forester, Department of Natural Resources
J. Toole, Water Manager, Department of Natural Resources
H. Valiant, Fisheries Manager, Department of Natural Resources
O. Szewczk, Land Representative, Department of Agriculture
G. Warner, Land Representative, Department of Agriculture
P. Chrupalo, Land Representative, Department of Agriculture
A. Shewchuk, Land Representative, Department of Agriculture
J. McCannell, Land Representative, Department of Agriculture
B. Bremner, Regional Parks Planner, Department of Natural Resources

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BPC #3, SOUTHWEST

MEMBERS:

A. Toews, Land Resource Specialist, Department of Agriculture
L. Bidlake, Wildlife Specialist, Department of Natural Resources
L. Misanchuk, Land Manager, Department of Natural Resources
R. Cairns, Land Representative, Department of Agriculture
A. Shier, Senior District Planner, Department of Municipal Affairs

ALTERNATES:

G. McColm, Regional Forester, Department of Natural Resources
B. Howard, Fisheries Manager, Department of Natural Resources
J. McCannell, Land Representative, Department of Agriculture
B. Bremner, Regional Parks Planner, Department of Natural Resources

BPC #4, SOUTHCENTRAL

MEMBERS:

J. Daly, Land Resource Specialist, Department of Agriculture
B. Nanka, Land Manager, Department of Natural Resources
C. Dixon, Wildlife Specialist, Department of Natural Resources
D. Meseman, Agro Land Planner, Department of Agriculture
G. Haggerty, or J. Green, Senior District Planner, Department of Municipal Affairs

ALTERNATES:

D. Schindler, Supervisor, Department of Agriculture
K. Vogel, Regional Forester, Department of Natural Resources
B. Howard, Fisheries Manager, Department of Natural Resources
K. Schykulski, Regional Parks Planner, Department of Natural Resources
G. Vigier, Land Representative, Department of Agriculture

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**Chapter** ..... IV. BLOC PLANNING COMMITTEE STRUCTURE

**Section** ..... D. Membership on Bloc Planning Committees

BPC #5, SOUTHEAST

MEMBERS:

B. Nanka, Land Manager, Department of Natural Resources
D. Meseman, Agro-Land Planner, Department of Agriculture
C. Dixon, Wildlife Specialist, Department of Agriculture
B. MacLean, Land Resource Specialist, Department of Agriculture
W. Hauri, Senior District Planner, Department of Municipal Affairs

ALTERNATES:

D. Schindler, Supervisor, Department of Agriculture
K. Vogel, Regional Forester, Department of Natural Resources
J. Sigurdson, Fisheries Manager, Department of Natural Resources
T. Merkl, Regional Park Planner, Department of Natural Resources
J. Stefanson, Water Manager, Department of Natural Resources
G. Vigier, Land Representative, Department of Natural Resources

BPC #6, EASTERN

MEMBERS:

K. Tyler, Land Manager, Department of Natural Resources
D. Schindler, Supervisor, Department of Agriculture
C. Dixon, Wildlife Specialist, Department of Natural Resources
B. MacLean, Land Resource Specialist, Department of Agriculture
D. Houghton, Senior District Planner, Department of Municipal Affairs

ALTERNATES:

B. Rugg, Regional Forester, Department of Natural Resources
J. Sigurdson, Fisheries Manager, Department of Natural Resources
T. Merkl, Regional Park Planner, Department of Natural Resources
J. Stefanson, Water Manager, Department of Natural Resources
G. Vigier, Land Representative, Department of Agriculture
D. Meseman, Agro-Land Planner, Department of Agriculture

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Section ..... D. Membership on Bloc Planning Committees

BPC #7, INTERLAKE

MEMBERS:

L. Campbell, Land Manager, Department of Natural Resources
B. Yusishen, Land Resource Specialist, Department of Agriculture
B. Cameron, Wildlife Specialist, Department of Natural Resources
D. Meseman, Agro Land Planner, Department of Agriculture
B. Kelner, Senior District Planner, Department of Municipal Affairs

ALTERNATES:

R. Fetterly, Land Representative, Department of Agriculture
K. Campbell, Fisheries Manager, Department of Natural Resources
S. Kaczanawski, Regional Forester, Department of Natural Resources
A. Chrupalo, Land Representative, Department of Agriculture
M. Shumka, Land Representative, Department of Agriculture
D. Schindler, Supervisor, Department of Agriculture
K. Schykulski, Regional Park Planner, Department of Natural Resources
H. Martel, Water Manager, Department of Natural Resources

BPC #8, THOMPSON

MEMBERS:

M. Pierce, Chief Property Manager, Department of Natural Resources
D. Meseman, Agro Land Planner, Department of Agriculture
D. Ceplis, Horticulturalist, Department of Agriculture
S. Karney, Wildlife Specialist, Department of Natural Resources
S. Houghton, Senior District Planner, Department of Municipal Affairs

ALTERNATES:

D. Cook, Fisheries Manager, Department of Natural Resources
D. Lamb, Regional Forester, Department of Natural Resources
J. Hiebert, Regional Parks Planner, Department of Natural Resources

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... IV. BLOC PLANNING COMMITTEE STRUCTURE

**Section** ..... E. Committee Positions

## E. COMMITTEE POSITIONS

| BPC | CHAIRMAN | SECRETARY |
|---|---|---|
| #1. The Pas | D. Dunnigan | N. Bell |
| #2. Western | L. Misanchuk | N. Bell |
| #3. Southwest | A. Toews | L. Bidlake |
| #4. Southcentral | J. Daly | B. Nanka |
| #5. Southeast | B. Nanka | D. Meseman |
| #6. Eastern | K. Tyler | D. Schindler |
| #7. Interlake | L. Campbell | B. Yusishen |
| #8. Thompson | M. Pierce | D. Ceplis |

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... V. CROWN LAND PLANNING TERMS OF REFERENCE

**Section** ..... A. Provincial Overview Policies and Process

Terms of reference govern the manner and emphasis by which the Crown Land Classification Committee will plan and classify Crown land use, direct Bloc Planning Committees and review Crown land classification recommendations. These statements provide the provincial overview and operational framework for the classification of Crown land and preparation of Crown land plans.

## A. PROVINCIAL OVERVIEW POLICIES AND PROCESS

1. Crown land classification will be guided by the Provincial Land Use Policies except where otherwise directed by the Provincial Land Use Committee.

2. Priority in Crown land use classification will normally be given to demonstrated economic and social needs as expressed through local demands, except in instances of overriding provincial need as approved by the Provincial Land Use Committee.

3. On Crown lands reserved by Order-in-Council (Provincial Parks, Forests, Community Pastures, Wildlife Management Areas) multiple use may be applied providing the secondary use is compatible with primary use. Management of Order-in-Council lands will remain the responsibility of the appropriate Department.

4. The Crown Land Classification Committee's Operational Crown Land Plan and Coding System, along with the formal, Provincial Crown Land Use Classification Plan and Coding System will continue to be the method whereby policies, guidelines and terms of reference under which the Crown Land Classification Committee operates shall be implemented.

5. In the Northern Zone, the Crown Land Classification Committee shall participate in the classification and planning of Crown land when commercial agricultural use or development is under consideration.

6. The planning for Crown land shall involve local jurisdications and governments. This shall be accomplished through the following process.

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# Crown Land Classification Committee
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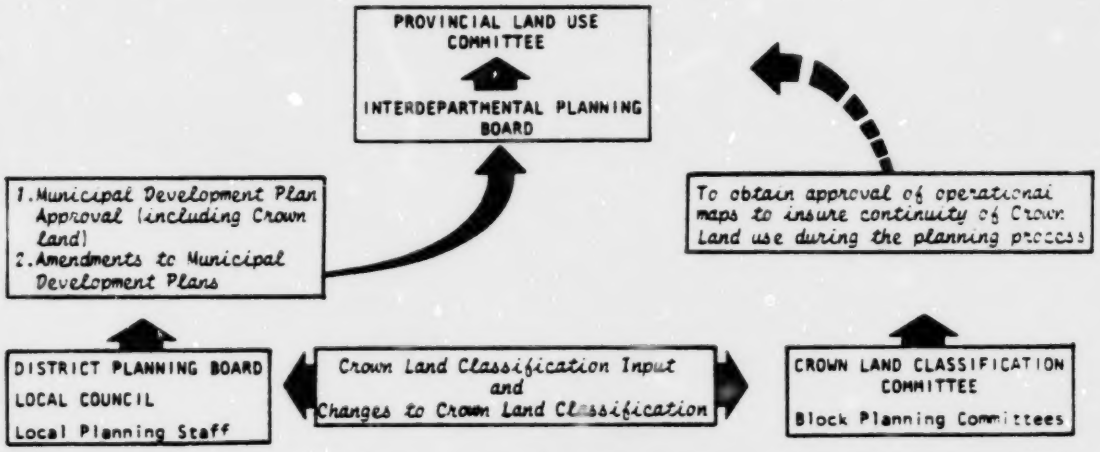
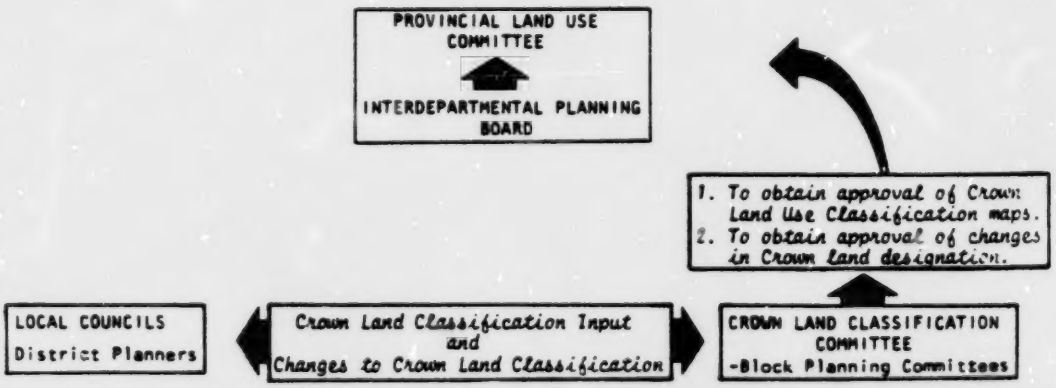
Section ..... A. Provincial Overview Policies and Process

**A**. Where there is an EXISTING OR PROPOSED MUNICIPAL DEVELOPMENT PLAN, the Crown Land Classification Committee shall participate in the process established by the Local Planning Authority. This will allow the planning of Crown Land to be integrated with the planning of private land.


PROVINCIAL LAND USE COMMITTEE
INTERDEPARTMENTAL PLANNING BOARD
1. Municipal Development Plan Approval (including Crown land)
2. Amendments to Municipal Development Plans
To obtain approval of operational maps to insure continuity of Crown Land use during the planning process
DISTRICT PLANNING BOARD
LOCAL COUNCIL
Local Planning Staff
Crown Land Classification Input and Changes to Crown Land Classification
CROWN LAND CLASSIFICATION COMMITTEE
Block Planning Committees

**B**. Where there is NO MUNICIPAL DEVELOPMENT PLAN, the Crown Land Classification Committee shall use the following process in the planning of Crown land.


PROVINCIAL LAND USE COMMITTEE
INTERDEPARTMENTAL PLANNING BOARD
1. To obtain approval of Crown Land Use Classification maps.
2. To obtain approval of changes in Crown land designation.
LOCAL COUNCILS
District Planners
Crown Land Classification Input and Changes to Crown Land Classification
CROWN LAND CLASSIFICATION COMMITTEE
-Block Planning Committees

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... V. CROWN LAND PLANNING TERMS OF REFERENCE

**Section** ..... B. Concepts

There are a number of basic concepts, principles and guidelines which are to be noted and considered when planning the use of Crown land. These considerations influence policy interpretation and allocation guidelines in determining the ultimate use, intensity of use and management of Crown land. To optimize land and resource use and maintain a high quality environment the following apply:

## B. CONCEPTS

1. The planning of Crown land is undertaken with consideration given to local needs. This is achieved through consultation with local planning authorities and is recognition of the demands identified by government departments in servicing and consulting with their respective client groups.

2. Where there is significant public or private investment the affected Crown lands are classified and allocated to uses which are in concert with or do not jeopardize the investment in either an economic or physical sense e.g., flood control structures.

3. Current management practices on all Crown land include: the application of multiple land use principles; the protection and improvement of the land's long-term productive capacity; the minimization of erosion and other destructive processes; and the utilization of the land consistent with its inherent capabilities with due consideration given to intensive management.

   a) The application of a multiple land use concept, that is, the utilization of Crown land and resources by competing and complementary users in both time and space require the identification of areas of compatible land uses wherever possible.

   b) The capability and suitability of the land and water resource base for development is considered.

   c) Classification of erosion prone or relatively infertile lands to land uses which will lead to an ultimately lower productivity of the land base are not accepted.

   d) In general, a minimum 25 percent of each quarter section is maintained in natural woody vegetation for a number of purposes.

4. Existing land use and land use patterns are accounted for and considered.

5. In general, non-conforming uses on Crown land are accepted and will be allowed to continue until the existing commitment expires or a suitable alternative site for the use can be found.

6. Except where indicated, the plan, will not preclude or limit future mineral extraction or exploration on Crown lands where approved by the Provincial Government.

7. The right of public access to Crown land and water for the purposes of sport angling, commercial fishing, hunting, trapping, outdoor recreation pursuits and general access etc. is maintained in accordance with such acts, regulations and contracts in place from time to time.

8. Future permanent development (i.e., residences, summer homes, cottages, commercial buildings, etc.) will be assessed for hazards such as flooding, erosion or bank instability. In general, development shall be subject to the following requirements, excepting under special economic and social circumstances.

   a) All permanent development shall be located on land above the 100 year flood level. When it is not possible to estimate the 100 year flood level due to insufficient hydrometric data for the waterway, then an elevation of 1.5 meters (5.0 feet) above the high water mark will be used.

   b) Land which may be eroded away within a period of 50 years shall be excluded from development unless it is demonstrated that the erosion process has been halted.

   c) Development shall not be permitted on lands subject to bank instability, landslides, or subsidence.

   d) Use of Crown land in water power reserves, control areas and licence areas must conform to the above or must not be required for water power purposes. Approval for development and use is required from the Water Resources Branch.

   e) In order to minimize surface water quality degradation, development and use of surface water resources shall not exceed the carrying capacity.

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Section ..... B. Concepts

*9. The plan will not restrict the Province from entering or withdrawing Crown lands for utility rights-of-way, highways, roads, drains, etc. subject to normal clearance and approval procedures.*

*10. Sites, structures and areas of historical, architectural and/or archaeological significance are located on Crown land. Those sites identified now or in the future shall be protected from uses and activities that would endanger them until such time as appropriate mitigative measures (restoration, excavation, etc.) are determined.*

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... VI. GENERAL CROWN LAND USE MANAGEMENT AND ADMINISTRATION CONSIDERATIONS

## MANAGEMENT AND ADMINISTRATION CONSIDERATIONS

Land management and administration does not direct land planning and land allocations but it does influence land use. Where concerns of potential land use conflict can be addressed through management and administration, remedial allocations are avoided. Some of the basic management and administrative factors which apply are:

1. For Crown lands under agricultural use the following apply:

    a) The right of public access is in accordance with such acts, regulations and contracts that are in place from time to time.

    b) Access is guaranteed to quarry lease operations subject to compensation being negotiated relative to loss of privately owned improvements.

    c) The right of the Province to enter a leased area and to withdraw lease rights on lands for utility rights-of-way, roads, etc. is guaranteed.

    d) Lands having greater than nine percent slope must be maintained in native cover or permanent forage.

    e) A buffer strip of woody vegetation not less than 45 meters in width should be retained within 90 meters of all municipal and provincial roads.

    f) A buffer strip of natural vegetation from 45 to 90 meters wide must be left adjacent to all water courses and permanent waterbodies.

    g) No wetland shall be drained or filled without approval.

    h) Topsoil and leaf mat shall not be removed.

    i) All livestock must be contained (e.g., fenced). Strips of 15 meters in width per lease can be cleared for fencelines, and

    j) Merchantable timber is subject to stumpage rates if it is marketable. The Crown retains the right to issue cutting rights to the public by way of timber sale and/or timber permit to harvest timber contained thereon. Merchantable timber thus harvested is subject to the payment of stumpage rates.

2. Survey monuments defining townships, section and quarter section corners shall not be destroyed.

3. Water quality shall not be adversely affected by Crown land uses. Activities and intensive shoreland developments that discharge pollutants shall be restricted in their location and it may be required that precautionary safeguards which mitigate the adverse effects of pollution be incorporated into the development. These activities and developments shall meet Manitoba's Surface Water Quality Objectives. Shorelands shall be protected from excessive erosion which might affect water quality.

4. Activities such as dumping, excavation, clearing, cultivation, or excessive grazing which would accelerate or promote dangerous erosion or bank instability will be prohibited.

5. Activities that may cause pollution under normal operating conditions or by accident should not be permitted in the groundwater pollution hazard area unless it can be proved by adequate field investigations that the proposed activities will not cause pollution of existing or potential groundwater supply in the area.

6. Groundwater consumption should not exceed the total sustained yield of an aquifer. Wells should be installed in a manner that would not have a detrimental effect on aquifers. Intensive development (e.g., subdivisions) and high capacity wells will be permitted only in areas where they will not cause a reduction in water supply for existing users.

7. Lakes, streams, rivers, creeks, etc. which are identified as significant fisheries habitat areas shall be protected. The use of Crown land adjacent to these waterways and particularily spawning sites and/or nursery areas shall be controlled and managed to minimize damage to fish stocks and fish habitat from siltation, nutrient loading, disturbance and water quality degradation. Manitoba's Surface Water Quality Objectives shall be used to ensure protection for end uses such as fisheries. Management of these adjacent lands shall be in accordance with approved fish habitat protection guidelines and includes but is not limited to controlling the ditching and rechannelization in such areas, controlling the clearing, cultivation, timber harvesting, and developing of sites to the water's edge, maintaining or creating natural vegetation buffers of varying widths as required etc.

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8. Sewage effluent discharges shall meet provincial standards. Flows required to flush and dilute waste waters and protect fish stocks shall be encouraged.

9. Stream crossings shall not adversely affect fish habitat or populations. Where crossings may affect fish habitat, the crossing should be designed and constructed with reference to "Recommended Fish Protection Procedures for Stream Crossings in Manitoba" prepared by the Department of Natural Resources.

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Chapter ..... VII. CROWN LAND CLASSIFICATION COMMITTEE PLANNING PROCESS

Section ..... A. Introduction

## A. INTRODUCTION

The provincial framework for Crown land planning given as terms of reference to the Crown Land Classification Committee required the Committee to establish and maintain two major planning processes.

These two processes are:

1. An Interdepartmental Operational Planning Process, and

2. A Provincial Crown Land Planning Process.

Each process has as its end product a Crown land plan. However, while there is a very strong interrelationship, one which cannot be separated, there are subtle and inextricable differences between the two processes and end products.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

**Chapter** ..... VII. CROWN LAND CLASSIFICATION COMMITTEE PLANNING PROCESS

**Section** ..... B. Interdepartmental Operational Planning Process: An Introduction

## B. INTERDEPARTMENTAL OPERATIONAL PLANNING PROCESS: AN INTRODUCTION

The interdepartmental operational planning process is the foundation for all Crown land planning. This operational process has been in place since the inception of the Crown Land Classification Committee in 1975 and prior to that time on an informal basis. The operational plan guides the day-to-day administration of Crown land under The Crown Lands Act by delineating through a land use classification system the use, intensity of use and amount of development that can occur on Crown land on a site specific basis.

This planning process has resulted in a full series of interdepartmental Crown land use classification operational maps for the area defined as Agro-Manitoba[1]. These plans are updated yearly as a matter of procedure. Given that this process has been ongoing since 1975 in a formal manner, it is evident why this process is fundamental to all Crown land planning. At any moment, there is in place at the very least, a Crown land plan which guides land use administrative decisions which are being made daily and which can be used and is used as the framework for all Provincial Crown land use classification plans.

While planning for Crown land has been continuous, the thoroughness of existing operational plans has varies from preliminary to final operational plans.

It is within this Interdepartmental Planning Process that Bloc Planning Committees have such an important and crucial function. Bloc Planning Committees have been assigned the responsibility of recommending to the Crown Land Classification Committee land use amendments to the existing operational plans. During the initial phases of the planning process when the Crown Land Classification Committee was first established in 1975, it was their primary objective to prepare general land use maps for their assigned areas. These maps were then presented to the Crown Land Classification Committee for approval. From this primary objective has evolved the present interdepartmental operational planning process.

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[1] Each year a full set of Operational Maps/Plans are printed by the Crown Land Classification Committee which are used administratively for that year, Report: Interdepartmental Operational Crown Land Plans.

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**Section** ..... B. Interdepartmental Operational Planning Process: An Introduction

This planning process along with the Crown Land Operational Classification System has proven itself to be flexible enough to respond at short notice to changing policy, demands and needs of Crown land users. It has provided a uniform provincial mechanism for reviewing Crown land use and delivering provincial policy and programs requiring or impacting on Crown land.

The principal objectives of the Interdepartmental Operational Planning process are:

1. To provide operational plans which will be used on a daily basis for the administration of Crown land.

2. To coordinate and interrelate Crown land use decision making and planning within government, for the area of jurisdiction of the Crown Land Classification Committee.

3. To standardize the planning of Crown land such that format and classifications are provincially uniform.

4. To ensure Crown land use administrative and planning continuity during the formal planning process established under the Provincial Crown Land Planning Process.

5. To provide a mechanism whereby conflicts of Crown land use between Departments and Agencies of the Provincial Government can be resolved.

## C. PROVINCIAL CROWN LAND PLANNING PROCESS: AN INTRODUCTION

The provincial Crown land planning process has been developed because Crown lands exist to a varying degree in most municipalities, and are a significant part of the land base of most Local Government Districts. It has been recognized that effective land use planning and socially acceptable administration requires that the use and administration of Crown lands be integrated and consistent with that of adjacent and related private land. It is for this reason that a Provincial Crown Land Planning Process which interrelates with the planning of private land was established by the Crown Land Classification Committee.

To appreciate the Crown land planning process a brief discussion of the municipal planning process is required. The Planning Act, S.M. 1975, Chapter 29 is the legislative framework which governs municipal planning. The Act requires and sets the framework for orderly planning and development of patented land and resources in the Province. It is through this Act that more than one municipality may join together to form a Planning District.

All Planning Districts are formally established with the setting of defined boundaries and the creation of a Planning Board. In respect of the district, this Board has certain powers and duties as set out in the Act, specifically:

> *'A district board is responsible for the preparation, adoption, administration and enforcement of a district development plan or basic planning statement.... and .... responsible for the administration and enforcement of (a) the zoning by-law or a planning scheme of any municipality with the district:'...*[1]

Simply, the Planning District Board is responsible for preparing a Development Plan or Basic Planning Statement and obtaining government approval of that plan or statement. Local Municipal Councils who form part of the District are then required to prepare a 'zoning by-law' which in effect details the intent of the Plan.

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[1] The Planning Act, S.M. 1975, Chapter 29 Chapter P80 of the Continuing Consolidation of the Statutes of Manitoba, Including Amendments to August 1979, Section 24(1), page 16

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Section ..... C. Provincial Crown Land Planning Process: An Introduction

By definition, the Development Plan is a plan, policy and program covering an area of land, designed to achieve stated objectives and to promote the optimum economic, social, environmental and physical conditions of the district. It is a document consisting of texts, maps or illustrations describing the program and policy.

The more significant purposes of the development plan are:

> *"(a) to serve as a framework whereby the district.. may be guided in formulating development policies and decisions;*
> *(b) to identify the factors relevant to the use and development of land;*
> *(c) to identify the critical problems and opportunities concerning the development of land and the social, environmental and economic effects thereof;...*
> *(e) to establish and specify the programs and actions necessary for the implementation of the development plan;...*
> *(g) to identify those matters of government concern which affect the use and development of land and other resources within the district or the municipality."*[2]

As previously indicated, the local planning authority is responsible for attaining provincial approval of their plan. In general, the following procedure would be followed:

Plan Preparation by Municipality/District in Consultation with Government Departments
▼
Draft Plan Submitted to Provincial Planning Branch (PPB)
▼
PPB Circulates Plan to Interdepartmental Planning Board (IPB) for Comment
▼
First Reading and Public Hearing
▼
IPB Departments May Appear at Public Hearing on IPB Direction
▼
Second Reading and Submission for Approval to Minister
▼
Minister Notifies PPB and Requests Recommendation
▼
PPB Checks Plan for Outstanding IPB Concerns
▼
If necessary, PPB Sends Plan to IPB and/or Provincial Land Use Committee
▼
Recommendation to Minister for Approval, Amendment or Rejection
▼
Ministerial Approval
▼
Minister Notifies Municipality/District that he is Prepared to Approve Plan (with amendments if necessary)
▼
Municipality/District Gives 3rd Reading and Submits Five Copies to Minister (PPB)
▼
Minister or Lieutenant Governor in Council Gives Final Approval and Notifies Municipality/District
▼
Municipality/District Publishes Notice of Approval in Newspaper
▼
Municipality/District Notifies PPB for File Purposes

[2] Ibid, Section 27(1), pages 18, 19

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Section ..... C. Provincial Crown Land Planning Process: An Introduction

While the planning process under The Planning Act is comprehensive it must be remembered that Crown lands are exempt from the authorities established within The Planning Act.

Notwithstanding the above, a procedure is necessary to provide the desired degree of coordination and integration of private and Crown land uses while preserving the established independent authorities. To this end the Provincial Crown Land Planning Process has been established by the Crown Land Classification Committee.

This process has as its principal objectives the following:

1. To prepare Provincial Crown land plans which are coordinated with municipal plans.

2. To coordinate review procedures, that is, whenever possible and with the concurrence of the local planning authority, the Crown land approval-review procedure will follow that used by the local planning authority.

3. To develop Provincial Crown Land Use Classification Plans to the satisfaction of both municipal and provincial government elements.

4. To coordinate the Provincial Crown land plans with the Interdepartmental Operational Plans, that is, to ensure there are no internal conflict between plans. Where there is a conflict, the Provincial Crown Land Use Classification Plan has precedence.

5. To standardize the planning of Crown land by utilizing a format and classification system which is uniform for all Provincial Crown land plans.

6. To coordinate the review of amendments to the Provincial Crown land plan which ensures local planning authority and provincial government satisfaction.

7. To provide a mechanism whereby conflicts of Crown land use between local planning authorities and the Crown Land Classification Committee can be resolved.

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Section ..... D. Basic Characteristics of The Two Planning Processes

## D. BASIC CHARACTERISTICS OF THE TWO PLANNING PROCESSES

As indicated these two planning processes have as their end product a Crown land plan. These plans will formally be referred to as:

1. The Operational Crown Land Plan or Operational Plan in the Interdepartmental Process, and

2. The Crown Land Use Classification Plan or Provincial Plan in the Provincial Process

Below are some of the basic characteristics which relate to the plan, the approval and review procedure, see also Table VII-1.

### Plan Preparation

All areas for which the Crown Land Classification Committee has jurisdiction have an Operational Crown Land Plan. Only new additional areas or when the Crown Land Classification Committee deems it necessary that an existing plan needs complete revision will a new plan be prepared. In either case, it is the responsibility of the Bloc Planning Committee to prepare such plans for the Crown Land Classification Committee.

In the Provincial process, the Crown Land Use Classification Plan is prepared by the Crown Land Classification Committee, Crown Land Co-ordinator. A Provincial plan will be prepared for each duly formed Planning District, rural municipality which is preparing a development plan and for other areas as deemed necessary by the Provincial Land Use Committee or Crown Land Classification Committee. It is the intent of the Crown Land Classification Committee that all rural municipalities and Local Government Districts will have a Provincial Crown Land Use Classification Plan.

### Plan Approval

The Crown Land Classification Committee is the approving authority for Operational Crown Land Plans and amendments to plans. These operational plans have already been referred to the Provincial Land Use Committee for information and as a matter of procedure full sets of Operational Crown Lands Plans are forwarded to the Provincial Land Use Committee each year.

The Provincial Land Use Committee is the approving authority for Provincial Crown Land Use Classification Plans and amendments to plans.

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Plan Administration

For both plans, the actual administration of land use as per the plan, that is, the issuance of permits, leases, licences, easements, etc., under the legislative authority of The Crown Lands Act remains with the Department of Natural Resources, Lands Branch and Department of Agriculture, Agricultural Crown Lands Branch.

In either case, responsibility for plan document administration rests with the Crown Land Classification Committee, that is, changes to the plan, recording of changes, etc. will be made by the Crown Land Classification Committee.

Plan Format

The actual plans under the two processes are very different. The Operational Crown Land Plan takes the form of a map. Each plan will cover only one rural municipality, local government district or specified unorganized area. Accompanying site plans for particular land parcels may be included.

The Provincial Crown Land Use Classification Plan on the other hand is presented as a formal report consisting of a text outlining concerns, objectives and policies along with an actual classification plan. The plan may involve one or more rural municipalities, local government districts or specified unorganized area.

Plan Review Frequency

The Provincial Land Use Committee is forwarded a set of Operational Crown Land Plans each year. As a result, the frequency of plan review by the Crown Land Classification Committee is at minimum once yearly. Bloc Planning Committees on the other hand shall continually review plans as a matter of procedure. However, as a minimum, Bloc Planning Committees shall review the plan once yearly.

The Provincial Crown Land Use Classification Plan will be reviewed at such time as the Provincial Land Use Committee or the Crown Land Classification Committee considers it necessary or when a Planning District Board is reviewing its Development Plan or 5 years after the coming into effect of the plan or from the last review, as the case may be.

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**Section** ..... D. Basic Characteristics of The Two Planning Processes

Plan Classification Systems

The Operational Crown land plans use the Crown Land Operational Classification System in the preparation of the plan. This system is a detailed classification system which specifies the use, intensity of use and development which may occur on Crown land.

The Provincial plan uses the Crown Land Generalized Classification System which, as its name implies, has general classifications which allow for a range of uses, intensity of uses and development within a category. The generalized classifications are by definition composed of a number of specified operational codes unique to that particular generalized category.

Plans in Effect

Because a Provincial Crown Land Use Classification Plan will be prepared for each Planning District, rural municipality preparing a development plan when established and when the Provincial Land Use Committee or the Crown Land Classification Committee deems it necessary for a particular area, there will be in effect two Crown Plans, an Operational Crown Land Plan and the Provincial Crown Land Plan. In other areas, only the Operational Crown Land Plan will be in effect.

Where both plans exist, there must be no conflicts between them. It will be the responsibility of the Crown Land Classification Committee to ensure that these two plans are consistent. Should there by any conflict, the Provincial Crown Land Use Classification Plan has precedence.

Any changes to the Provincial Plan will require a corresponding and simultaneous change to the associate Operational Plan (a direct result of the relationship between the two classification systems). On the other hand, changes may be made to the Operational Plan which may not require a corresponding change to the Provincial Plan. This will occur where the change is made within the range of the generalized classification.

Where a change to an Operational Plan is recommended which would result in a change to the Provincial Plan, before the operational plan change can be approved, approval must first be received for the required change to the Provincial Plan.

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Plan Review Mechanism

One of the principal characteristics of any planning process is its review phases. It is here also that the greatest difference between the two processes established by the Crown Land Classification Committee is apparent.

For the Interdepartmental Operational Planning Process the review mechanism is rather simple. Bloc Planning Committees prepare the Operational Plans and forward them to the Crown Land Classification Committee for approval. As all areas have plans which have already been approved, the review stage is limited to the yearly review of amendments by the Crown Land Classification Committee. Where the Crown Land Classification Committee deems it appropriate, review of the Operational Plan may occur with the local Council.

The Provincial Crown Land Planning Process is more complex and has two review mechanisms. Where there is an established Planning District or R.M. preparing a development plan under The Planning Act, the Crown Land Classification Committee's review is linked to the review procedure for a Development Plan or Basic Planning Statement being prepared by the District Board. In such a case the Crown Land Use Classification Plan will be reviewed by: Bloc Planning Committee, Interdepartmental Planning Board Departments and Agencies, Planning District Board, Council and the General Public, (if the District Board agrees to include the Crown Plan as part of their plan document). Where there is no Planning District and the Crown Land Classification Committee or the Provincial Land Use Committee deems it necessary that a Provincial Crown Plan be prepared, the review mechanism is as follows: Bloc Planning Committee, Interdepartmental Planning Board Departments and Agencies and Local Council. In either case the Provincial Land Use Committee will review and approve the plan.

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**Chapter** ..... VII. CROWN LAND CLASSIFICATION COMMITTEE PLANNING PROCESSES

**Section** ..... D. Basic Characteristics of The Two Planning Processes

TABLE VII-1 Basic characteristics of the Interdepartmental Operational and the Provincial Crown Land Planning Processes.

| CHARACTERISTICS | INTERDEPARTMENTAL OPERATIONAL PLANNING PROCESS | PROVINCIAL CROWN LAND PLANNING PROCESS |
|---|---|---|
| 1. Plan Name | Operational Crown Land Plan | Crown Land Use Classification Plan |
| 2. Responsibility for Plan Document Administration | Crown Land Classification Committee | Crown Land Classification Committee |
| 3. Plan Preparation | Most areas have an Operational plan. | For each Planning District at minimum prepared by Crown Land Classification Committee, Crown Land Coordinator. |
| 4. Approving Authority for Plan and plan amendments | Crown Land Classification Committee (Forwarded to Provincial Land Use Committee for information) | Provincial Land Use Committee of Cabinet |
| 5. Administration of Land Use as per Plan | Department of Natural Resources, Lands Branch and Department of Agriculture, Agricultural Crown Lands Branch - under The Crown Lands Act. | Department of Natural Resources, Lands Branch and Department of Agriculture, Agricultural Crown Lands Branch - under The Crown Lands Act. |
| 6. Plan Format | Map only - generally for one rural municipality, local government district or specified unorganized area | Formal report consisting of text with maps outlining concerns, objective and policies. Covers one or more rural municipality, local government district or specified unorganized area. |
| 7. Frequency of Plan Review | Once yearly - January of each year | From time to time but not later than: a) such time as the Provincial Land Use Committee or the Crown Land Classification Committee considers it necessary or b) when a Planning District Board is receiving its Development Plan, or c) 5 years after the coming into effect of the plan or from the last review, as the case may be |
| 8. Type of Land Use Classification Coding System* | Crown Land Operational Classification System specific as to use, intensity of use and development and time considerations | Crown Land Generalized Classification System - allows for a range of uses, intensity of use and development and time considerations. |
| 9. Reviewed by and Concurrence Sought for Plans and Plan Amendments | Local Council when directed by the Crown Land Classification Committee. The Bloc Planning Committee if the amendment is not originated by the BPC | A. Interdepartmental Planning Board Departments and Agencies<br>B. Local Council and/or Planning District Board<br>C. General Public when plan is appended to a Municipal Development Plan. |

*Type of Land Use Classification - coding systems - The Crown land operational Classification system is the basic system for all the Crown land plans. The generalized system has been developed from this operational system. In the generalized system each code is by definition a specified range of operational codes. Thus, for every operational code there is one and only one generalized code, while the generalized code may have any number of specified operational codes.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... VIII. CROWN LAND OPERATIONAL CLASSIFICATION SYSTEM

Section ..... A. Introduction

## A. INTRODUCTION

The Crown Land Classification Committee requires a land use classification system, that can be administratively implemented. For this purpose, the Crown Land Operational Classification System has been established.

The Crown land operational classification system is the coding system which is used by Bloc Planning Committees in the preparation of Operational Crown Land Plans. This system is intended to be used on the quarter section basis but is flexible enough to be used for smaller areas and for block areas, that is areas larger than a quarter section. The coding system dictates on a quarter section basis not only the land use, but also the intensity of use, the amount of development (that is, the amount of clearing which can take place), and the length of time the Crown land can be committed via various legal instruments (such as leases, permits, contract, etc.). These land use classifications are supplemented by land management guidelines which address site specific and physical factors as required; with the entire process within a stated planning framework and consistent with approved procedures.

The system is open ended and allows for additional codes to be added upon approval by the Crown Land Classification Committee.

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**Section** ..... B. Operational Crown Land Use Codes

## Order-in-Council Designations

| | |
|---|---|
| Community Pastures | CP |
| Provincial Parks | PP |
| Provincial Forests | PF |
| Wildlife Management Areas | WW |
| Ecological Reserves | ER |
| Special Forest Area | SF |

## Other

| | |
|---|---|
| Site plan filed | SP |
| Project Area | PJ |
| Urban Use | UU |
| Utility Sites | UT |
| Timber Removal Priority | X |
| Significant Shoreland | O |
| Wildrice | Q |

## Miscellaneous Uses

| | |
|---|---|
| Agriculture | AM |
| Forestry | FM |
| Outdoor Recreation | RM |
| Mineral | MM |
| Wildlife | WM |
| Other | XM |

| Land Use Descriptions | No. Agric. | No Development - Yearly Use Only | | | | No Development - Yearly Use Only. Dept. N.R. Manager Approval Required | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Hay | Grazing | Hay/ Grazing | Cultivation | Hay | Grazing | Hay/ Grazing | Cultivation |
| Forest Management (A) | A1 | A2 | A3 | A4 | N/A | A6 | A7 | A8 | N/A |
| Outdoor Recreation (B) | B1 | B2 | B3 | B4 | B5 | B6 | B7 | B8 | B9 |
| Wildlife (C) | C1 | C2 | C3 | C4 | C5 | C6 | C7 | C8 | C9 |
| Mineral Extraction (D) | D1 | D2 | D3 | D4 | D5 | D6 | D7 | D8 | D9 |
| Water Retention (E) | E1 | E2 | E3 | E4 | E5 | E6 | E7 | E8 | E9 |
| Open Space (F) | F1 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Unique/Rare Sites (G) | G1 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Natural Lands *a) Erosion Prone/ Fragile/and Hazard Lands* (J) | J1 | J2 | J3 | J4 | J5 | J6 | J7 | J8 | J9 |
| *b) Bedrock* (K) | K1 | K2 | K3 | K4 | K5 | K6 | K7 | K8 | K9 |
| *c) Marsh/Swamp/ Bog/Fen* (M) | M1 | M2 | M3 | M4 | M5 | M6 | M7 | M8 | M9 |
| Development Reserve (N) | N1 | N2 | N3 | N4 | N5 | N6 | N7 | N8 | N9 |
| Fisheries (T) | T1 | T2 | T3 | T4 | T5 | T6 | T7 | T8 | T9 |

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Section ..... B. Operational Crown Land Use Codes

| Land Use Descriptions | Agricultural-No Time Restriction | Agricultural-No Time Restriction Joint Decision For Clearing | Agricultural-No Time Restriction Joint Decision For Drainage | Agricultural Yearly Use Only |
|---|---|---|---|---|
| **HAY and GRAZING** | | | | |
| - No development restrictions | 1a | N/A | N/A | 1d |
| - Providing 40 acres of native woody vegetation remain, the amount of development allowed is: 120A.. | 2a | 2b | 2c | 2d |
| 100A.. | 3a | 3b | 3c | 3d |
| 80A.. | 4a | 4b | 4c | 4d |
| 60A.. | 5a | 5b | 5c | 5d |
| 40A.. | 6a | 6b | 6c | 6d |
| - No development allowed | 7a | N/A | N/A | 7d |
| - Improvement of 'Go Back' Fields allowed | 8a | 8b | 8c | 8d |
| **HAY ONLY** | | | | |
| - No development restrictions | 1g | N/A | N/A | 1j |
| - Providing 40 Acres of native woody vegetation remain, the amount of development allowed is: 120A.. | 2g | 2h | 2i | 2j |
| 100A.. | 3g | 3h | 3i | 3j |
| 80A.. | 4g | 4h | 4i | 4j |
| 60A.. | 5g | 5h | 5i | 5j |
| 40A.. | 6g | 6h | 6i | 6j |
| - No development allowed | 7g | N/A | N/A | 7j |
| - Improvement of 'Go Back' Fields allowed | 8g | 8h | 8i | 8j |
| **GRAZING, HAY and CULTIVATION** | | | | |
| - No development restrictions | 1n | N/A | N/A | 1r |
| - Providing 40 Acres of native woody vegetation remain, the amount of development allowed is: 120A.. | 2n | 2p | 2q | 2r |
| 100A.. | 3n | 3p | 3q | 3r |
| 80A.. | 4n | 4p | 4q | 4r |
| 60A.. | 5n | 5p | 5q | 5r |
| 40A.. | 6n | 6p | 6q | 6r |
| - No development allowed | 7n | N/A | N/A | 7r |
| - Improvement of 'Go Back' Fields allowed | 8n | 8p | 8q | 8r |
| **CULTIVATION ONLY** | | | | |
| - No development restrictions | 1u | N/A | N/A | 1x |
| - Providing 40 Acres of native woody vegetation remain, the amount of development allowed is: 120A.. | 2u | 2v | 2w | 2x |
| 100A.. | 3u | 3v | 3w | 3x |
| 80A.. | 4u | 4v | 4w | 4x |
| 60A.. | 5u | 5v | 5w | 5x |
| 40A.. | 6u | 6v | 6w | 6x |
| - No development allowed | 7u | N/A | N/A | 7x |
| - Improvement of 'Go Back' Fields allowed | 8u | 8v | 8w | 8x |

SPECIAL BLOCK CODES (To be used only with approval of the C.L.C.C.)

- Agriculture leaseable, 60 acres may be cleared per quarter providing 40 acres of native woody vegetation remain. Location of clearing by joint decision.

OR

- Up to 120 acres may be cleared per quarter, on 2 quarters providing 40 acres of native woody vegetation remain per quarter. Maximum clearing on remaining quarter in the block is 60 acres per quarter provided 40 acres of native woody vegetation remain per quarter and not to exceed the total intent of the 60 acres code per quarter. Once allowable clearing has been reached, the remaining undeveloped quarters shall be designated code 7a. Location of clearing by joint decision.

-Z1

Agriculture leaseable, 80 acres may be cleared provided that 40 acres of native woody vegetation remain per quarter.

OR

Up to 120 acres may be cleared per quarter section on 2 quarters providing 40 acres of native woody vegetation remain per quarter. Maximum clearing in remaining quarters in block is 80 acres per quarter providing 40 acres of native woody vegetation remain per quarter and not to exceed the total intent of the 80 acre code per quarter. Once allowable clearing has been reached, the remaining undeveloped quarters shall be designated code 7a.

-Z2

## C. CLASSIFICATION SYSTEM DEFINITIONS

AGRICULTURAL USE - identifies Crown lands for present use or future use as pasture, both improved and native, and as cropland, (including paddy production). Normal activities include garzing, haying and cultivation. For purposes of this classification these land uses are termed extensive agricultural use, for intensive uses see agriculture miscellaneous.

Community Pasture - Agricultural grazing land set aside and designated for community use for grazing purposes by Order-in-Council. The Pastures are operated by the Federal P.F.R.A. Program.

Department of Natural Resources Manager Approval Required - requires that before allocation and/or any advertising by Agricultural Crown Lands Branch, the appropriate manager (Forester, Land Manager, or Park Planner, Biologist, etc.) must be contacted specifically regarding these lands. No action can be taken without his approval.

Development - the carrying out of construction, erection or placing of any building or excavation or other operation on, over or under land or the making of any change in the use or intensity of use of any land or building or premises. This includes clearing, drainage, breaking, seeding, spraying, etc. (except fencing and those rights prescribed under a given lease - wells, dugouts, corrals, shelter, etc.).

Development Reserve - Crown land areas with potential for more intensive use, however, limited access, low demand, need for extensive capital infrastructure (drainage), new technology or low service infrastructure requires that use be restricted at this time.

Ecological Reserve - Crown land designated as such under the authority of An Act Respecting Crown Lands or the Ecological Reserves Act.

Fisheries - means Crown land identified as being significant and critical fish habitat, i.e., spawning grounds and nursery, rearing, food supply and migration areas on which fish depend, directly or indirectly, in order to carry out their life process. The area to be identified and coded fisheries includes not only that portion of the water body critical as fish habitat but also the immediate surrounding land (buffer) necessary to protect the habitat. The size of the area including buffer area to be coded fisheries shall depend on the physical nature of the site and the adjacent or allowable uses of the shoreland.

Joint Decision - decision of the Bloc Planning Committee is required.

Mineral Extraction - Crown land presently being mined, to be mined in the near future or land with deposits which will eventually be mined.

Miscellaneous Uses -

a) Agriculture Miscellaneous - Crown land presently being used or identified for future use as; beekeeping, dugouts, feedlots, herb farms, piggeries, veterinarian clinics, haying cabins, gardens, farm residences and associated buildings, education and research sites, etc. outside of unincorporated and incorporated cities, towns and villages.

b) Forestry Miscellaneous - Crown land presently being used or identified for future use as; tree nurseries, experimental plantations, wood piling areas, sawmill sites, education and research, etc. outside of unincorporated and incorporated cities, towns and villages.

c) Outdoor Recreation Miscellaneous - Crown land presently being used or identified for future use as; campgrounds, tourist lodges, camps, shooting lodges, hunting cabins, play grounds, cottages, and other undesignated lands held by Parks Branch, Golf and Country Clubs, etc. outside of unincorporated and incorporated cities, towns and villages.

d) Mineral Miscellaneous - Crown lands presently being used or identified for future use as; aggregate stock pile areas, processing sites, drilling sites and oil wells and associated sites, petroleum storage tanks, etc. outside of incorporated and unincorporated cities, towns and villages.

e) Wildlife Miscellaneous - Crown lands presently being used or identified for future use as; fish hatchery sites, fish stations, packing sheds, trapping cabins, mink ranching, education and research sites, etc.

f) Other Miscellaneous - Crown lands presently being used or identified for future use as; garbage dumps, nuisance grounds, air strips, boat docks-houses-ramps-launches, water supplies, military reserves, penitentiaries, trailer parks, non-farm rural residential, trailer parks, etc. outside of incorporated and unincorporated cities, towns and villages.

Multiple Coding - multiple coding is the technique used to assign more than one code to a parcel of Crown land. The codes which may be assigned need not be complementary.

Natural Lands - Crown land coded under this category shall be limited to those areas identified as best kept from development. Generally, these areas are to remain as they occur in nature.

a) Erosion Prone/Fragile/Hazard Lands - Crown land which are prone to flooding, instability, will erode through run-off or wind action including lands which have been identified as being important because they are fragile in nature and are land forms which require protection if they are to maintain their characteristics; e.g., slopes greater than 31%, sand dunes.

b) Bedrock - Crown land which have extensive outcropping of bedrock, very shallow soils over bedrock, or a degree of stoniness which restricts use. Includes uneconomical surface gravel and sand deposits.

c) Marsh, Swamp, Bog, Fen - Poorly drained Crown land whose site characteristics preclude intensive use at the present time.

   i) Marsh - tract of soft, wet land usually low lying and partly or completely under water, has herbaceous vegetation rather than trees.

   ii) Swamp - tract of low lying wooded area which is intermittently saturated; dampness due to poor drainage, wood is not of commercial value.

   iii) Bog - a peat-covered or peat-filled area, generally with a high water table - peat is not of commercial value at this time.

   iv) Fen - a peat-covered or peat-filled area, with a high water table, which is usually at the surface - peat is not of commercial value at this time.

Non-Conforming Use is an existing use which must be accepted in the short term (a lifetime lease), but which is inappropriate in the long term. The intent is to change the use at the earliest possible time with a minimum of negative social impact. Thus, the use will be changed upon expiration of existing commitments. Infamily transfers are permitted.

Bloc Planning Committees shall code Crown lands for long-term use but shall identify non-conforming uses. The map shall indicate non-conforming uses by underlining the code.

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Section ..... C. Classification System Definitions

Open Space - Crown lands which have been evaluated for use, agriculture, forestry, wildlife, etc. and are considered best left in their natural state with no particular use identified or allowed. Generally low capability lands of a non-descript or highly variable physiographic type.

Outdoor Recreation - recreation sites where the natural setting or resource is the principal component. Crown lands coded for outdoor recreation permit but is not limited to activities such as bathing, cottaging, camping, etc. All CLI class 1, 2 and 3 lands for outdoor recreation should be coded under this category.

Project Area - an area of Crown land where an approved project is established or is presently under consideration.

Provincial Forest - Crown lands designated as such in the regulations under An Act Respecting the Administration and Conservation of Forests in the Province.

Significant Shoreland - that area of Crown land which may include water, wet beach, dry beach and backshore which has been identified as being of public significance. It shall include such areas approved by the Provincial Land Use Committee as requiring protection as identified through the Crown land sale program and areas identified by the planning process.

i) Wet beach means the area of beach below the normal high water mark usually outward to the 1.5 meters depth contour at normal low water.

ii) Dry beach means the area of beach above the normal summer high water but normally subject to wash by highwater, or storm waves.

iii) Backshore means that area extending inland from the dry beach required to support or protect the resources, uses, activities or facilities.

See Explanations and Interpretation Section for application of this code.

Site Plan Filed - to use this code a site plan must be filled.

Special Forest Area - a Crown land area designated by Order-in-Council for the purpose of forest management, timber harvest, reforestation or research, and not presently designated as Provincial Forest.

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Timber Removal Priority - this code indicates which parcels of Crown land that have valuable (marketable) timber volumes which are to be harvested prior to implementation of the land use code. Timber removal must be in accordance with the long term allowable development. Code is to be applied to vacant Crown land coded for long term agricultural use. These lands shall not be advertised by Agricultural Crown Lands Branch prior to removal of the timber as per the development code. Once the timber has been removed the code 'X' will be removed from the parcel.

Time

a) Agricultural No Time Restriction - means there are no concerns respecting the administration of the parcel. Agricultural Crown Lands Branch will determine the lands ultimate disposition and tenure. Therefore, lands coded with 'No time restriction' may be leased for one year, 5 years, 20 years or lifetime, or could be permitted annually - for 5 years etc. The administrative decision is the responsibility of the Agricultural Crown Lands Branch.

b) Agricultural Yearly Use Only - means the Bloc Planning Committee has some concerns and is restricting the administration of the parcel by Agricultural Crown Lands Section such that the administrative tenure is limited to a one year basis. Thus, Agricultural Crown Lands Branch is limited to annual permits, renewable permits and one year leases. There will be no conversion of permits to leases greater than one year.

c) Specific Time Requirement - the Bloc Planning Committee determines that a specific time period is required, e.g., parcel available for hay only for 3 years or until 1990 etc.; the Bloc Planning Committee shall file a site plan stating all requirements deemed appropriate.

Unique/Rare Sites - Crown land and/or water areas associated with (1) rare and endangered fauna and flora currently identified by the Government of Canada and relevant to Manitoba and by the Government of Manitoba as having a rare or endangered status. Species identification will be in accordance with Federal and Provincial legislation, (2) historic and archaeology sites, (3) unique scenic sites, (4) significant natural cultural features and (5) other significant resource sites - e.g., seed cone area. As a result of the nature of these sites no other use or development is allowed.

Urban Use - Crown lands which are presently being used as town halls, community centers, athletic grounds, community clubs, churches, missions, graveyards, oil tank storage areas, refineries, residences, business establishments, etc., or lands which will be used for urban purposes in the future.

Utility Sites - Crown lands which are presently being used or identified for future uses such as roads, hydro transmission lines, pipelines (oil, gas, water), telephone, railways.

Water Retention Sites - Crown lands which have been identified as being important for water retention. The sites may be permanent or intermittent bodies of water. To be coded as water retention the water/area must be of importance, that is, of some identifiable use: i.e., ground water recharge area, water holding area, siltation area, etc.

Wildlife - Crown lands coded under this category shall be limited in general to those areas identified as best kept from development and long term commitment to secondary uses because of their importance to wildlife as habitat. Generally, these areas are to remain as they occur in nature, however, habitat improvement is not excluded. Wildlife includes, birds, reptiles, etc. e.g., prime deer wintering areas.

Wildlife Management Area - a Crown land area designated as such in the regulations under An Act Respecting the Administration and Conservation of Wildlife in the Province.

Wild Rice - Crown land and water areas which are presently used or will be used in the future for purposes of wild rice management and harvesting. It does not include paddy production.

## D. EXPLANATIONS AND INTERPRETATIONS

The following items are presented as approved interpretations in the use and application of operational Crown land use classifications.

### 1. Interpretation of Non-Conforming Uses

Non-Conforming Use - is an existing use which because of its existence must be accepted in the short term (a lifetime lease) but which is inappropriate in the long term. The intent is to change the use at the earliest possible time with a minimum of negative social impact. Thus, the use will be changed upon expiration of existing commitments.

i) Where the parcel is under lease, the non-conforming use can continue until the lease expires. Upon expiration of the term of the lease or cancellation of the lease, the non-conforming use will no longer be allowed. In-family transfers are permitted.

ii) Where the parcel is under permit, the non-conforming use can continue until the person holding the permit no longer wishes to renew the permit. Upon the lapsing of the permit by the permittee, the non-conforming use will no longer be allowed.

However, the Bloc Planning Committee may still request to have an existing lease or permit cancelled before expiration, irrespective of the general interpretation above. In such cases, the Bloc Planning Committee must request in writing to the Crown Land Classification Committee indicating the reason for the cancellation. If the Crown Land Classification Committee agrees, the normal notice of cancellation and procedure would apply, assuming Ministerial agreement.

Example Situation

Land Use Code is J1, Natural Lands - Erosion Prone/Fragile and Hazard Lands. No Agricultural Use.

Present land use is, Hay and Grazing, leased to year 2010.

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Section ..... D. Explanations and Interpretations

Application

The Crown Land Operational Classification Map shall show the parcel as J1. The land shall continue to be used for Hay and Grazing until 2010 when use on the parcel shall be terminated.

It shall be the responsibility of the Bloc Planning Committee to identify these parcels which have a non-conforming use.

2. Interpretation of Development

Example Situation

Land Use Code 4a: Hay and grazing, agricultural - no time restriction, providing 40 acres of native, woody vegetation remain, the amount of development allowed is 80 acres.

| IF Quarter is described as follows | THEN: Acres of bush which still can be improved | AND Acres of bush retained |
|---|---|---|
| 1. 160 acres all native bush | 80 | 80 |
| 2. 140 acres bush; 20 acres native meadows | 80 | 60 |
| 3. 120 acres bush; 40 acres already cleared | 40 | 80 |
| 4. 100 acres bush; 60 acres native meadow | 60 | 40 |
| 5. 120 acres bush; 40 acres lake | 80 | 40 |
| 6. 100 acres bush; 40 acres lake | 60 | 40 |
| 7. 100 acres bush; 40 acres native meadow; 20 acres lake | 60 | 40 |

3. Multiple Coding

Multiple coding is the technique used to assign more than one code to a parcel of Crown land. The codes which may be assigned need not be complementary or compatible.

The primary and secondary land uses are determined by the order in the code listing. Therefore the first code listed is considered the primary use followed by the secondary, tertiary, etc. land uses.

For purposes of multiple coding, simplification of the symbolization is required. For example.

| Old Code | New Multiple Code |
|---|---|
| 1. C1/A1 | C/A |

The numeral 1 has been dropped, however the meaning has not changed, i.e., wildlife priority/forestry secondary use: no agricultural use.

| | |
|---|---|
| 2. C1/7a | C/7a |

The numeral 1 has been dropped. The code interpretation being primary use wildlife (C) secondary use hay and grazing no development (7a). The use of the number 1 in this case was confusing and inappropriate.

| | |
|---|---|
| 3. C2/B2 | C/B2 |
| C4/A4 | C/A4 |

The first numeral is eliminated. The meaning being wildlife priority (C), outdoor recreation secondary use, hay only no development, yearly use only tertiary use. Similarily for C/A4.

4. Other Examples are:

| | |
|---|---|
| Ea/8a. . . . . E/8a | A1/7a. . . . . A/7a |
| A1/C6. . . . . A/C6 | C1/B1/7a . . . C/B/7a |
| N1/4a. . . . . N/4a | 7a/J4. . . . . 7a/J |

Note wherever appropriate, the land use should be stated first i.e., codes A, B, C, D, E, while land characteristics are indicated after the land use i.e., codes J, K, M, for example.

| | |
|---|---|
| J1/C1 | C/J |

4. Recreational Land Use Coding

In an effort to recognize the importance of high capability recreational Crown lands, the Crown Land Classification Committee has agreed to a general approach in identifying and coding these lands.

a) All Canada Land Inventory Class 1 (recreation) Crown land regardless of present commitment shall be coded B1. Where there is a non-conforming use code B1.

b) All Canada Land Inventory Class 2 and 3, (recreation) Crown lands should be coded for recreation. The Bloc Planning Committee shall determine which of the outdoor recreation codes are appropriate for each parcel. Again, where there is a non-conforming use the code shall be underlined. The Bloc Planning Committee shall also identify the other use (code) which can be made of these lands without destroying or damaging the land's capability for recreation. Thus if a parcel is capable of sustaining hay and grazing but no development is recommended to protect the recreational value, these lands shall be coded as follows: B/7a or B/7d or B4.

Where no other use can be made of the parcel indicate as follows: B1.

5. Significant Shorelands

This code may only be applied by the Crown Land Classification Committee.

Significant shorelands shall be identified by the code "C" followed by the reason for its significance, e.g., fisheries, outdoor recreation, etc.

a) Where the shoreland occurs on a quarter section where there is no agricultural, forest harvesting, recreational development etc. occurring, or being considered the area shall be coded for example:

OB - for significant shorelands from the outdoor recreation perspectiv.
OC - for significant shorelands from the wildlife perspective
OT - for significant shorelands from the fisheries perspective

b) Where the shoreland is presently under agricultural use the quarter shall be coded: O/SP. A site plan will then be prepared detailing the exact area of shoreland to be protected, for what purpose and the allowable use on the remainder of the quarter.

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Section ..... A. Introduction

## A. INTRODUCTION

This generalized classification system has been established as a direct result of the directive from the Provincial Land Use Committee to have Crown land plans reviewed by Councils and Local planning authorities and the passing of The Planning Act which allows for the preparation of development plans by municipalities and planning districts.

Since the Crown Land Classification Committee has a planning process which utilizes the review mechanism of Districts Boards and Local Councils. It was deemed appropriate that the Crown land plan should be similar in form to that used in Development Plans. This necessitated the generalization of the Operational Crown Land Classification System, as it would more accurately reflect the type of zoning plans Councils and Planning Boards are familiar with.

By definition the Crown Land Generalized Classification System is simply the generalization (placing into categories) of the codes used in the Operational Crown Land Classification System.

The application of these generalized codes within a Provincial Crown land plan states general land use policy.

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**Section** ..... B. Generalized Crown Land Use Codes

| Generalized Land Use Description | Generalized Land Use Code | Operational Land Use Codes | Operational Land Use Description |
|---|---|---|---|
| Community Pastures | CP | CP | Community Pastures |
| Provincial Parks | PP | PP | Provincial Parks |
| Provincial Forests | PF | PF | Provincial Forests |
| Wildlife Management Areas | WM | WM | Wildlife Management Areas |
| Ecological Reserves | ER | ER | Ecological Reserves |
| Special Forest Areas | SF | SF | Special Forest Areas |
| Agriculture Dominant/Native Environment Lands Minor | A | 1-4a, 2-4a, 3-4c, 1-4d | Hay & Grazing |
| | | 1-4g, 2-4h, 3-4i, 1-4j | Hay Only |
| | | 1-4m, 2-4n, 3-4o, 1-4r | Grazing, Hay, Cultivation |
| | | 1-4u, 2-4v, 2-4w, 1-4x | Cultivation Only |
| | | 22 | Special Block Code 22 |
| | | | No development restriction / 120-80A development |
| Agriculture/Native Environment Lands Complex | AA | 1-8a, 1-8b, 1-8c, 1-8d<br>1-8g, 1-8h, 1-8i, 1-8j<br>1-8m, 1-8n, 1-8o, 1-8r<br>1-8u, 1-8v, 1-8w, 1-8x<br>21 | Hay & Grazing<br>Hay only<br>Grazing, Hay, Cultivation<br>Cultivation Only<br>Special Code 21 |
| | | | 60-80 dev., 40 acre fields |
| Forestry | F | A1 | Forest Management Area - no agricultural use |
| Forestry Dominant/ Agriculture Minor | FA | A2-4A, A6-A8 | Forest Management Area - no development, Hay only |
| Outdoor Recreation | R | B1 | Outdoor Recreation - no agricultural use |
| Outdoor Recreation Dominant/ Agriculture Minor | RA | B2-B6 | Outdoor Recreation, no development; Hay, hay or grazing, grazing, cultivation |
| Wildlife | W | C1 | Wildlife - no agricultural use |
| Wildlife Dominant/ Agriculture Minor | WA | C2-C9 | Wildlife - no development, Hay, hay or grazing, grazing, cultivation |
| Mineral Extraction | M | D1 | Mineral Extraction - no agricultural use |
| Mineral Extraction Dominant/ Agriculture Minor | MA | D2-D6 | Mineral Extraction - no development Hay, hay or grazing, grazing, cultivation |
| Water Retention | H | E1 | Water Retention - no agricultural use |
| Water Retention Dominant/ Agriculture Minor | HA | E2-9 | Water Retention, Hay, hay or grazing, grazing, cultivation |
| Fisheries | I | F1 | Fisheries - no agricultural use |
| Fisheries Dominant/ Agriculture Minor | IA | F2-F9 | Fisheries, no development Hay, hay or grazing, grazing, cultivation |
| Sugar Cane Shorelands | S | G | Sugar Cane shorelands |
| Water | W | G | Water |
| Open Space | O | H1 | Open Space |
| Unique - Rare Sites | U | I1 | Unique - Rare Sites - no agricultural use |
| Natural Lands | N | J1, K1, M1 | Erosion Prone/Frag ile/Hazard lands, Badlands, Marsh-Swamp-Bog-Fen no agricultural use |
| Natural Lands Dominant/ Agriculture Minor | NA | J2-9, K2-9, M2-9 | Erosion Prone/Frag ile/Hazard lands, Badlands, Marsh-Swamp-Bog-Fen no development Hay, hay or grazing, grazing, cultivation |
| Development Reserve | D | H1 | Development Reserve - no agricultural use |
| Development Reserve/ Agriculture Minor | DA | H2-H9 | Development Reserve - no development Hay, hay or grazing, grazing, cultivation |
| Urban Use | U | U1 | Urban Use |
| Project Area | PJ | PJ | Project Area |
| Utility Sites | UT | UT | Utility Sites |
| Miscellaneous Uses<br>- Agriculture<br>- Forestry<br>- Outdoor Recreation<br>- Mineral<br>- Wildlife<br>- Other | <br>AA<br>FA<br>RA<br>MA<br>WA<br>OA | <br>AA<br>FA<br>RA<br>MA<br>WA<br>OA | Miscellaneous uses<br>- Agriculture<br>- Forestry<br>- Outdoor Recreation<br>- Mineral<br>- Wildlife<br>- Other |

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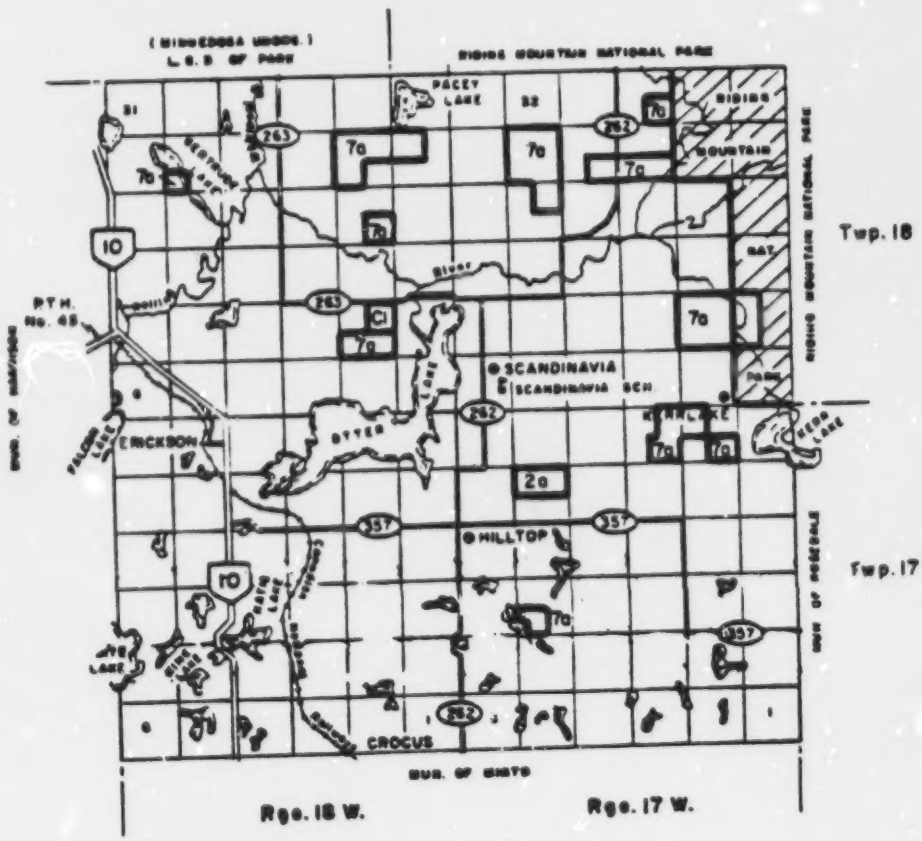
# POLICY & PROCEDURES MANUAL

**Chapter** ..... X. OPERATIONAL CROWN LAND PLAN

The Operational Crown Land Plan is as its name implies, an operational, administrative plan required in the day-to-day administration of Crown land.

There are Operational Crown Land Plans for the entire area described as Agro-Manitoba for which the Crown Land Classification Committee has responsibility. These plans have been prepared by Bloc Planning Committees and approved by the Crown Land Classification Committee.

The format for the Operational Crown Land Plan is simply a map showing the classification of Crown land using the Crown Land Operational Classification System, see below.



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## A. PLAN FORMAT

The Provincial Crown Land Use Classification Plan is the formal plan which is presented to Councils and District Boards.

Provincial Crown Land Use Classification Plans will be prepared by the Crown Land Classification Committee for every Planning District created under The Planning Act, all municipalities preparing a development plan and for those other areas deemed necessary by the Provincial Land Use Committee or the Crown Land Classification Committee. In all cases, a general format for these plans will be used and there shall be as little deviation from this format as can reasonably be achieved.

The following report format shall be followed in the preparation of a Provincial Crown Land Use Classification Plan:

Title Page
TABLE OF CONTENTS
- Body of Report -
I. INTRODUCTION
II. ADMINISTRATION
III. CROWN LAND PLANNING COMPONENTS
IV. PLAN GOALS AND OBJECTIVES
V. CROWN LAND USE CLASSIFICATIONS
VI. OTHER CONSIDERATIONS
VII. GENERAL PLAN IMPLEMENTATION
APPENDICES

Title Page - the title page shall read as follows:

'Crown Land Use Classification Plan for (name of Planning District, Municipality, Local Government District or Specified area)'.

'Prepared by the Crown Land Classification Committee'.

The date of the report shall also be indicated.

Table of Contents - the table of contents shall detail the contents of the report by chapter, page and shall list those maps and appendices contained in the report.

Introduction - the introduction chapter is a standard statement in all reports. It provides background material respecting administration of Crown land, responsibility for classifying Crown land. It reads as follows:

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*INTRODUCTION*

*The management and administration of Crown land is shared by the Departments of Natural Resources and of Agriculture. The Agricultural Crown Lands Branch issues agricultural leases and permits of occupation or use of those Crown lands which are designated by the Minister of Natural Resources as: primarily agricultural lands; and multiple use lands which may only be used for agricultural purposes on an interim or secondary use basis, subject to specific conditions and covenants required by other resource users.*

*The principle responsibility for Crown land remains with the Department of Natural Resources, which administers The Crown Lands Act excepting those specific sections under the responsibility of the Minister of Agriculture.*

*The classifying to use of Crown land in Agro-Manitoba is the responsibility of the Crown Land Classification Committee. This is an interdepartmental committee with representation from the Departments of Agriculture, Natural Resources and Municipal Affairs. The Crown Land Classification Committee reports to and receives its direction from the Provincial Land Use Committee of Cabinet.*

*The Crown land classification plan applies only to Provincial Crown land, the jurisdiction of which remains the responsibility of the Manitoba Government. The plan does not address Federal Crown, Indian Reserves or patented lands.*

Administration - this chapter also is a standard statement in all reports. It identifies who administers the land use as per the plan and who administers the plan document. It reads as follows:

*ADMINISTRATION*

*This plan has been prepared by the Crown Land Classification Committee. Land use, as per the plan, is administered by the Department of Agriculture, Agricultural Crown Lands Branch, and the Department of Natural Resources, Lands Branch.*

*The Crown Land Classification Committee shall, after consultation with the municipality present the plan for approval to the Provincial Land Use Committee of Cabinet.*

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*The Crown Land Classification Committee shall consult with the municipality when amendments to the plan are being considered. Crown lands which may be designated in the future by Order-in-Council to Provincial Park, Provincial Forest, Wildlife Management Area, Community Pasture, etc. constitute an amendment to the plan, and consultation with the local planning authority is required. All amendments to the plan will be presented to the Provincial Land Use Committee of Cabinet.*

Crown Land Planning Components - this chapter outlines the basic principles in Crown land planning, classification and management. It also is a standard statement in all reports. It reads as follows:

*CROWN LAND PLANNING COMPONENTS*

*Crown land planning is a process which is continuous and ongoing. It involves inventoring of land and resources, evaluation of capability and suitability, identification of demands and needs, the establishment of goals and objectives and consultation with local planning authorities.*

*The following describes the framework in which this plan was formulated. In particular, the goals and objectives (Section IV) of this Crown land plan were formulated after consideration of the Provincial Land Use Policies, in conjunction with Provincial departmental sector goals and objectives. The Crown land allocation procedure, which designated the Crown lands to achieve these goals, utilized accepted basic land use concepts along with current Crown land management and administrative directives and guidelines.*

*PROVINCIAL LAND AND RESOURCE GOALS*

*The Provincial Land Use Policies form the overall framework for this plan through the guidance and direction they prescribe in the management of the Province's land resource. These policy statements identify general provincial land and resource goals. This plan will not specifically address all these provincial goals.*

*The Provincial land and resource goals are:*

1) *To protect the present and future agricultural industry, to protect land for present and future food production and to foster growth and development in the agricultural industry.*

2) *To provide for orderly rural development and to reduce rural servicing costs by consolidating development.*

3) To safeguard scarce recreational and scenic resources and to protect existing and future recreation areas against overuse and degradation of recreational resources.

4) To recognize the importance of key shorelands and to protect from erosion the integrity and usefulness of this finite resource for recreation, watertable retention requirements, to ensure the viability of critical environments and to ensure the right of public access to major waterways and waterbodies.

5) To ensure that significant land and resource areas are not adversely affected by adjacent land uses.

6) To protect areas critical to the existence and maintenance of rare and endangered flora and fauna and to protect significant natural features which characterize a region and to identify, preserve and protect heritage resources.

7) To maintain and promote economic opportunities, ecological diversity, existing natural resource values and populations and aesthetic qualities of the rural landscape associated with renewable resource utilization.

8) To protect life and property from natural hazards such as flooding and erosion, to maintain the natural capacity of streams to convey flood flows and to protect existing flood control works.

9) To maintain a high level of service and safety on the Province's highways, to protect the provincial investment in highways and to minimize disruption to local development in the future.

10) To protect aggregate and quarry mineral resources and to integrate these areas into the overall planning process.

This Crown land plan will not address provincial transportation, mineral or rural development goals. However, the plan will not preclude procurement of land for roads or limit mineral development or exploration subject to normal review and clearance procedures. Aspects of schooling, local transportation systems, water supplies for domestic use, etc. are best addressed by local planning authorities more directly responsible to meeting local needs. The planning process does however provide a linkage between planning jurisdications (provincial and municipal). Where potential conflicts in use occur or where allocations may impact on rural servicing costs these issues will be addressed though consultation with Council. Adjustments may then be made to the plan to address these concerns.

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*CONCEPTS*

*There are a number of basic concepts which are considered in the planning for Crown land. These concepts influence policy interpretation and Crown land allocation. Therefore, in optimizing Crown land and resource use and maintaining a high quality environment the following apply:*

1. *The planning of Crown land is undertaken with consideration given to local needs. This is achieved through consultation with local planning authorities and is recognition of the demands identified by government departments in servicing and consulting with their respective client groups.*

2. *Where there is significant public or private investment the affected Crown lands are classified and allocated to uses which are in concert with or do not jeopardize the investment in either an economic or physical sense e.g., flood control structures.*

3. *Current management practices on all Crown land include: the application of multiple land use principles; the protection and improvement of the land's long-term productive capacity; the minimization of erosion and other destructive processes; and the utilization of the land consistent with its inherent capabilities with due consideration given to intensive management.*

   a) *The application of a multiple land use concept, that is, the utilization of Crown land and resources by competing and complementary users in both time and space require the identification of areas of compatible land uses wherever possible.*

   b) *The capability and suitability of the land and water resource base for development is considered.*

   c) *Classification of erosion prone or relatively infertile lands to land uses which will lead to an ultimately lower productivity of the land base are not accepted.*

   d) *In general, a minimum 25 percent of each quarter section is maintained in natural woody vegetation for a number of purposes.*

4. *Existing land use and land use patterns is accounted for and considered.*

5. *In general, non-conforming uses on Crown land are accepted and will be allowed to continue until the existing commitment expires or a suitable alternative site for the use can be found.*

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6. Except where indicated, the plan, will not preclude or limit future mineral extraction or exploration on Crown lands where approved by the Provincial Government.

7. The right of public access to Crown land and water for the purposes of sport angling, commercial fishing, hunting, trapping, outdoor recreation pursuits and general access etc. is maintained in accordance with such acts, regulations and contracts in place from time to time.

8. Future permanent development (i.e., residences, summer homes, cottages, commercial buildings, etc.) will be assessed for hazards such as flooding, erosion or bank instability. In general, development shall be subject to the following requirements, excepting under special economic and social circumstances.

   a) All permanent development shall be located on land above the 100 year flood level. When it is not possible to estimate the 100 year flood level due to insufficient hydrometric data for the waterway, then an elevation of 1.5 meters (5.0 feet) above the high water mark will be used.

   b) Land which may be eroded away within a period of 50 years shall be excluded from development unless it is demonstrated that the erosion process has been halted.

   c) Development shall not be permitted on lands subject to bank instability, landslides, or subsidence.

   d) Use of Crown land in water power reserves, control areas and licence areas must conform to the above or must not be required for water power purposes. Approval for development and use is required from the Water Resources Branch.

   e) In order to minimize surface water quality degradation, development and use of surface water resources shall not exceed the carrying capacity.

9. The plan will not restrict the Province from entering or withdrawing Crown lands for utility rights-of-way, highways, roads, drains, etc. subject to normal clearance and approval procedures.

10. Sites, structures and areas of historical, architectural and/or archeological significance are located on Crown land. Those sites identified now or in the future shall be protected from uses and activities that would endanger them until such time as appropriate mitigative measures (restoration, excavation, etc.) are determined.

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*MANAGEMENT CONSIDERATIONS*

*Land management and administration does not direct land planning and land allocations but it does influence land use. Where concerns of potential land use conflict can be addressed through management and administration, remedial allocations are avoided. Some of the basic management and administrative factors which apply are:*

1. *For Crown lands under agricultural use the following apply:*

   a) *The right of public access is in accordance with such acts, regulations and contracts that are in place from time to time.*

   b) *Access is guaranteed to quarry lease operations subject to compensation being negotiated relative to loss of privately owned improvements.*

   c) *The right of the Province to enter a leased area and to withdraw lease rights on lands for utility rights-of-way, roads, etc. is guaranteed.*

   d) *Lands having greater than nine percent slope must be maintained in native cover or permanent forage.*

   e) *A buffer strip of woody vegetation not less than 45 meters in width should be retained within 90 meters of all municipal and provincial roads.*

   f) *A buffer strip of natural vegetation from 45 to 90 meters wide must be left adjacent to all water courses and permanent waterbodies.*

   g) *No wetland shall be drained or filled without approval.*

   h) *Topsoil and leaf mat shall not be removed.*

   i) *All livestock must be contained (e.g., fenced). Strips of 15 meters in width per lease can be cleared for fencelines, and*

   j) *Merchantable timber is subject to stumpage rates if it is marketable. The Crown retains the right to issue cutting rights to the public by way of timber sale and/or timber permit to harvest timber contained thereon. Merchantable timber thus harvested is subject to the payment of stumpage rates.*

2. *Survey monuments defining townships, section and quarter section corners shall not be destroyed.*

3. *Water quality shall not be adversley affected by Crown land uses. Activities and intensive shoreland developments that discharge pollutants shall be restricted in their location and it may be required that precautionary safeguards which mitigate the adverse effects of pollution be incorporated into the development. These activities and developments shall meet Manitoba's Surface Water Quality Objectives. Shorelands shall be protected from excessive erosion which might affect water qaulity.*

4. *Activities such as dumping, excavation, clearing, cultivation, or excessive grazing which would accelerate or promote dangerous erosion or bank instability will be prohibited.*

5. *Activities that may cause pollution under normal operating conditions or by accident should not be permitted in the groundwater pollution hazard area unless it can be proved by adequate field investigations that the proposed activities will not cause pollution of existing or potential groundwater supply in the area.*

6. *Groundwater consumption should not exceed the total sustained yield of an aquifer. Wells should be installed in a manner that would not have a detrimental effect on aquifers. Intensive development (e.g., subdivisions) and high capacity wells will be permitted only in areas where they will not cause a reduction in water supply for existing users.*

7. *Lakes, streams, rivers, creeks, etc. which are identified as significant fisheries habitat areas shall be protected. The use of Crown land adjacent to these waterways and particularily spawning sites and/or nursery areas shall be controlled and managed to minimize damage to fish stocks and fish habitat from siltation, nutrient loading, disturbance and water quality degradation. Manitoba's Surface Water Quality Objectives shall be used to ensure protection for end uses such as fisheries. Management of these adjacent lands shall be in accordance with approved fish habitat protection guidelines and includes but is not limited to controlling the ditching and rechannelization in such areas, controlling the clearing, cultivation, timber harvesting, and developing of sites to the water's edge, maintaining or creating natural vegetation buffers of varying widths as required etc.*

8. *Sewage effluent discharges shall meet provincial standards. Flows required to flush and dilute waste waters and protect fish stocks shall be encouraged.*

9. *Stream crossings shall not adversely affect fish habitat or populations. Where crossings may affect fish habitat, the crossing should be designed and constructed with reference to "Recommended Fish Protection Procedures for Stream Crossings in Manitoba" prepared by the Department of Natural Resources.*

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Plan Goals and Objectives - this chapter outlines the basic land and resource goals and objectives for Crown land which are basic to all areas of the Province. Their relevance to each area under consideration must be evaluated. The following example is extracted from the R.M. of Portage la Prairie Crown Land Use Classification Plan.

*PLAN GOALS AND OBJECTIVES*

*The goals and objectives outlined for Crown lands are basic to all areas of the Province. The degree to which these goals may be achieved or the impact (economic or social) they have will be determined by the amount of Crown land in a particular area, its dispersal, its capability and suitability for use and development, present land use, demands and commitments. By sector, the goals and objectives which this plan will address are:*

*AGRICULTURE:*

*Agriculture is the principal land use and industry of rural Agro-Manitoba. It is in the long-term interest of the Province to protect the agricultural industry. This means protecting not only the quality and the quantity of productive land, but protecting the ability of farmers to expand, diversify or change their operations in response to market demand. The principal goals are:*

1. *To protect agricultural land for present and future production and to foster growth and development in the agricultural industry.*

2. *To ensure conservation of the natural resources upon which agriculture is dependent.*

*Comment*

*Within the Municipality of Portage la Prairie there is only a small amount of Crown land with appropriate capability for agricultural use and development. A review of the land capability indicates that most of the Crown land has an agricultural capability of class 5, 6 or 7 and the lands of higher capability are limited and scattered. The major exception being the large block of land devoted to community pasture.*

*FISHERIES*

*The harvesting and processing of fish caught by Manitoba's commercial fishermen and the sport fishing enterprises for resident and non-resident provide jobs, income and revenues. Additionally, the fish resource provides recreational opportunities along with the associated income and employment benefits to the service, retail and manufacturing sectors. The principal goals are:*

1. To recognize the need for fisheries management that will result in the greatest long-term benefit to Manitoba and ensure survival and improvement to fish stocks.

2. To establish and maintain a viable commercial and tourist fishing industry wherein participants can earn a reasonable return on their investment and time with limited social disruption.

3. To maintain and enhance angling opportunities for Manitobans to meet existing and future demands.

4. To provide and maintain sufficient fish stocks to support subsistence fishing.

5. To minimize the loss and degradation of habitat due to other competing and non-competing resource uses and to improve degraded habitat.

Comment

The Assiniboine River, waters associated with Lake Manitoba and Delta Marsh in the Municipality are the most important areas from the fisheries perspective. Other waters such as Cresent Lake have indicated some long term potential while Willow Creek exhibits seasonal fish use.

Activities adjacent to shorelines can adversely impact fish habitats and water quality. This plan recognizes and protects critical fishery habitat from adjacent Crown land uses in accordance with approved fish habitat protection guidelines, and Manitoba's Surface Water Quality Objectives.

The Assinboine River is the most significant sport fishing area in the Municipality. Although sport anlging activity on Lake Manitoba adjacent to the Municipality is limited by extensive shallow water areas, commercial fishing operations are significant.

FORESTRY

The forest industry contributes significant socio-economic benefits to the Province of Manitoba through the harvesting of Crown timber and the production of forest products, goods and services. It is anticipated that in the course of the next 20 years the forest industry will continue to grow at the rate of about two to three percent per year. It is expected that the socio-economic benefits derived from this growth will continue at the same rate.

*In order that these benefits can be achieved: Manitoba's forest land must be protected from fire, insects and disease; the most productive sites must be retained to produce future forests; land that is presently under forest management must not be further alienated to other incompatible uses; and, forest lands that are retained must be managed in the most intensive manner possible.*

*Comment*

*At the present time no Crown lands are being actively managed and administered for forestry purposes. The Municipality is outside the province's "wooded zone" where the vast majority of the commercial forest activity occurs. For the Crown lands in the Municipality, the highest CLI capability class for forestry is 4. This is limited to portions of the Assiniboine River corridor south of the City of Portage la Prairie. The rest of the Crown lands are classed 5 and 6 with the majority classed 7. Considering all land in farms (which includes Crown lands leased to farmers) the Municipality as a whole only has 2.2 to 3.4 percent of all land in farms as woodlands.*

*The Municipality is in Forest Management Unit 02 and is presently being inventoried for its forestry resources. This may result in future re-evaluation of the forestry potential.*

*HERITAGE RESOURCES:*

*Heritage Resources are any work of nature or of man, that are of interest primarily for their prehistorical, historical, cultural, natural, scientific or aesthetic value including, but not limited to an artifact, palaeontological object, prehistorical or historical site, skeletal remains, natural site, structure or object.*

*They are important because they embody information which is essential to the understanding and appreciation of our society. Therefore, they should be managed so that the information is not irrevocably lost.*

*The principal goals of heritage resource management are:*

1. *To identify, protect and interpret significant sites, structures, themes and events in history and prehistory in order to understand Manitoba's human heritage.*

2. *To encourage awareness and continued use of heritage structures which illustrate unique or interesting architectural form and design and/or which are connected with historically significant individuals, groups, places, events or themes in Manitoba's development.*

*Comment*

*Within the Rural Municipality of Portage la Prairie two sites have been declared under the Historic Sites and Objects Act (1967) because of their provincial historical significance. Many additional sites and structures have been recorded; however, no comprehensive survey or review of the heritage resources of the Municipality or Crown lands therein has been completed.*

*OUTDOOR RECREATION AND PARKS:*

*Outdoor recreation opportunities are essential to the high quality of life which Manitobans presently enjoy. These activities also make an important contribution to the provincial economy. The provincial government, in conjunction with other levels of government and individual and private enterprise, is an important provider of outdoor recreation opportunities. Present trends suggest that the need for this management function will continue at a high level during the 1980's.*

*Fundamental to the development of recreational areas is the need to maintain a harmony with natural and man-made environments. Important recreation and resource areas such as waterways and shorelands, prime wildlife habitat, and natural, cultural and historic areas should be identified and protected. Adjacent, incompatible land and resource uses should be controlled.*

*The principal goals are:*

1. *To provide a variety of types and amounts of outdoor recreational opportunities for the pleasure and enjoyment of the citizens of Manitoba, both now and in the future.*

2. *To identify and preserve rare, scarce, or special forms of recreation in Manitoba.*

3. *To provide suitable park areas to allow and encourage the people of Manitoba to enjoy and appreciate each distinct natural landscape in the Province.*

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*Comment*

*The Rural Municipality of Portage la Prairie has an overall high capability for a wide variety of outdoor recreation activities. Lake Manitoba shorelands, and the Delta Marsh have the highest potential and are considered an important provincial outdoor recreation resource. A review of the CLI capability map indicates that most of the lands classified 1, 2 or 3 are Crown lands located south of Lake Manitoba. In addition to some Class 1, 2 or 3 Crown shorelands which may provide opportunities for bathing, camping and other water-oriented recreation, the extensive area of Crown land designated Class 3 for wildlife oriented recreational pursuits is of particular note.*

*Beyond the Crown lands south of Delta Marsh the Portage Sandhills and the Assiniboine River corridor are also of importance to outdoor recreation interests.*

*Within the Municipality there is only a limited acreage devoted to provincial parklands. There are three officially designated parks and one undesignated. Total area being less than 65 hectares.*

*WILDLIFE:*

*Wildlife species including birds, mammals, reptiles and amphibians occupy various Manitoba environments. Besides its cultural and historical significance, Manitobans value and use the wildlife resource for food, income, recreation, education and science. The principal goals are:*

1. *To ensure the provision of wildlife resources that will result in the greatest long-term benefit to Manitobans.*

2. *To ensure that wildlife populations and their habitats are protected from irreversible damage and that subject to the effects of natural and approved man-made environmental changes, viable populations are maintained.*

3. *To maintain population levels of all wildlife species at levels sufficient to meet public demand, including but not limited to demand for: domestic use, recreation use, educational use and commercial use and to maintain, protect and enhance areas suitable for these activities.*

4. *To protect the integrity of the resource base and intended use of areas designated or proposed by the Province as wildlife management areas from incompatible and possibly damaging uses.*

5. *To mitigate where possible wildlife depredation damage.*

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*Comment*

*The potential and the importance of Crown lands to wildlife in the Municipality has been well recognized. The Crown lands in the Delta Marsh area have long been considered of provincial, local and international significance. Here, the marsh area is considered critical to the production and staging of waterfowl and important to whitetailed deer, furbears and non-game species including rare and endangered flora and fauna.*

*CLI has rated the Crown lands in the area south of Lake Manitoba as class 3 waterfowl lands while many of the oxbows in the Assiniboine River corridor are similarily classified.*

*The Assiniboine River corridor and the Portage Sandhills are rated class 3 by CLI for ungulates, however there is only a small amount of Crown land south of the river.*

Crown Land Use Classification - this chapter is the plan portion of the report, that is the detailing of the land use classifications.

In this chapter, the actual land use classifications shall be listed and denoted by a capital letter starting at 'A'. At the beginning of the list shall be the Order-in-Council designations, for example:

*CROWN LAND USE CLASSIFICATIONS*

*There are nine basic classifications delineated for the Rural Municipality.*

*A. Wildlife Management Areas*
*B. Provincial Park*
*C. Agricultural Dominant - Native Evnironment Lands Minor*
*D. Agriculture - Native Envrionment Lands Co-Major*
*E. Wildlife Dominant - Agriculture Minor*
*F. Outdoor Recreation*
*G. Outdoor Recreation Dominant - Agriculture Minor*
*H. Urban Use*
*I. Project Areas*

Next comes the discussion of each classification. There is a specific heading for each land use classification (list XI-I). Discussion of each classification occurs under three subsections: Present Condition: Concerns/Objectives; and Policies/Guidelines.

The Present Conditions section gives a brief introduction to the Crown Lands designated to this particular classification, more particularily giving the amount of land so classified.

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The Concerns/Objection section indicates briefly the principal and specific concerns related to the land use classification.

The Policies/Guidelines section outlines the principal policies/guidelines for the management, administration and use within this classification. For example:

*Provincial Park (Lundar Beach Recreation Park) - Classification PP - as shown on the Crown Land Classification Plan - Map 1*

*PRESENT CONDITION:*

*The Lundar Beach Provincial Recreation Park occupies an area of about 25 acres. Located on the shore of Lake Manitoba, the park provides camping, picnicking and beach facilities to local residents.*

*CONCERNS/OBJECTIVES:*

*To provide recreation areas close to concentrations of people which make it possible to serve large numbers of recreational users without degradation of the basic natural resources of the area.*

*The intent of this classification is to identify those lands which have been set aside for recreational use.*

*POLICIES/GUIDELINES*

2. *Provincial Park - PP*

*The management and operation of the Lundar Beach Provincial Recreation Park is the responsibility of the Department of Natural Resources, Parks Branch. The management of this Park shall be guided by the following:*

*2a. The Province of Manitoba will maintain its outdoor recreational facilities at Lundar Beach Recreation Park for the use and enjoyment of the local, provincial and travelling public.*

*2b. ..... etc.*

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Other Considerations - this chapter is a standard statement in all reports. This chapter reads:

*OTHER CONSIDERATIONS*

*The Crown land plan identifies the major classification for Crown land. There may be other site specific uses which are not indicated in the plan. Recognition of this fact is important as some specific locations, for example, residences, may not be indicated but are nonetheless protected by the very nature of the legal commitment to individuals through the leasing and permitting process of Crown lands.*

*All site specific uses, that is, most land uses occurring on Crown land utilizing less than 16 hectares (40 acres) which are not shown in the plan are listed in Appendix 1.*

General Plan Implementation - this chapter is a standard statement. It reads:

*GENERAL PLAN IMPLEMENTATION*

*PLAN APPROVAL AND REVIEW*

*Plan approval and any subsequent approval of amendments to the plan shall be by the Provincial Land Use Committee of Cabinet.*

*Existing policy and procedure for plan and amendment approval require consultation with local planning authorities. Additionally, full review and approval by provincial government departments and agencies through the Interdepartmental Planning Board is also required.*

*This plan shall be reviewed at such time as the Provincial Land Use Committee of Cabinet or the Crown Land Classification Committee considers it necessary or when the Council is reviewing its Development Plan or 5 years after coming into effect of the plan or from the last review, as the case may be.*

*The Crown Land Classification Committee is responsible for ensuring that future plan reviews, proposed amendments and classification appeals are processed and implemented as per approved policy and procedure.*

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LAND USE IMPLEMENTATION

The land use intent as outlined in this Crown Land Use Classification Plan shall be carried out through the application of the "Interdepartmental Operational Crown Land Plan" prepared for the municipality.

Operational Crown Land Plans are prepared, amended and approved by the Crown Land Classification Committee. Appeals to operational plans shall also be directed to the Crown Land Classification Committee with the Provincial Land Use Committee the final authority.

These Operational Plans shall:

a) be consistent with and carry out the intent of this Plan, and

b) identify in map format the permitted uses and intensity of use for those parcels of Crown land in the Municipality.

LAND USE ADMINISTRATION

The use of Crown land is administered through instruments such as leases, permits, contracts, agreements, etc. which are issued by the Crown to individuals, corporations, etc. or declared by the Crown through Orders-in-Council.

Most of the Crown land outside of Order-in-Council areas (i.e., Crown land not included in Community Pastures, Provincial Parks, Provincial Forests, and Wildlife Management Areas) are administered under the authority of the Crown Lands Act. This Act is administered by the Department of Natural Resources, Lands Branch with certain specified sections the responsibility of the Department of Agriculture, Agricultural Crown Lands Branch.

These contracts, leases, permits, agreements, etc. must be in conformity with this Plan and the Interdepartmental Operational Crown Land Plan.

The approval of this Crown land use classification plan does not require the Province of Manitoba to undertake any proposal therein suggested or outlined, but no undertaking or development within the area affected by this Crown land plan shall be carried out that is inconsistent or at variance with the proposals or policies set out in this Crown land plan.

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LIST XI - I. STANDARD WORDING FOR CROWN LAND USE CLASSIFICATION HEADINGS

Community Pastures: Classification CP - As shown on the Crown Land Classification Plan - Map 1

Provincial Parks: Classification PP - As shown on the Crown Land Classification Plan - Map 1

Provincial Forests: Classification PF - As shown on the Crown Land Classification Plan - Map 1

Wildlife Management Areas: Classification WW - As shown on the Crown Land Classification Plan - Map 1

Ecological Reserves: Classification ER - As shown on the Crown Land Classification Plan - Map 1

Special Forest Areas: Classification ER - As shown on the Crown Land Classification Plan - Map 1

Agriculture Dominant - Native Environment Lands Co-Major: Classification A - As shown on the Crown Land Classification Plan - Map 1

Agriculture - Native Environment Lands Co-Major: Classification AN - As shown on the Crown Land Classification Plan - Map 1

Forestry: Classification F - As shown on the Crown Land Classification Plan - Map 1

Forestry Dominant - Agriculture Minor: Classification FA - As shown on the Crown Land Classification Plan - Map 1

Outdoor Recreation: Classification R - As shown on the Crown Land Classification Plan - Map 1

Outdoor Recreation Dominant - Agriculture Minor: Classification RA - As shown on the Crown Land Classification Plan - Map 1

Wildlife: Classification W - As shown on the Crown Land Classification Plan - Map 1

Wildlife Dominant - Agriculture Minor: Classification WA - As shown on the Crown Land Classification Plan - Map 1

Mineral Extraction: Classification M - As shown on the Crown Land Classification Plan - Map 1

Water Retention: Classification B - As shown on the Crown Land Classification Plan - Map 1

Water Retention Dominant - Agriculture Minor: Classification BA - As shown on the Crown Land Classification Plan - Map 1

Open Space: Classification O - As shown on the Crown Land Classification Plan - Map 1

Fisheries: Classification C - As shown on the Crown Land Classification Plan - Map 1

Fisheries Dominant - Agriculture Minor: Classification CA - As shown on the Crown Land Classification Plan - Map 1

Significant Shorelands - Classification G - As shown on the Crown Land Classification Plan - Map 1

Wildrice: Classification H - As shown on the Crown Land Classification Plan - Map 1

Unique - Rare Sites: Classification Q - As shown on the Crown Land Classification Plan - Map 1

Natural Lands: Classification N - As shown on the Crown Land Classification Plan - Map 1

Development Reserve: Classification D - As shown on the Crown Land Classification Plan - Map 1

Urban Use: Classification U - As shown on the Crown Land Classification Plan - Map 1

Project Area: Classification PJ - As shown on the Crown Land Classification Plan - Map 1

Agriculture Miscellaneous Use: Classification AM - As shown on the Crown Land Classification Plan - Map 1

Forestry Miscellaneous Use: Classification FM - As shown on the Crown Land Classification Plan - Map 1

Outdoor Recreation Miscellaneous Use: Classification RM - As shown on the Crown Land Classification Plan - Map 1

Mineral Miscellaneous Use: Classification MM - As shown on the Crown Land Classification Plan - Map 1

Wildlife Miscellaneous Use: Classification WM - As shown on the Crown Land Classification Plan - Map 1

Other Miscellaneous Use: Classification XM - As shown on the Crown Land Classification Plan - Map 1

Manitoba

# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XI. PROVINCIAL CROWN LAND USE CLASSIFICATION PLAN

Section ..... B. Maps and Appendices

## B. MAP AND APPENDICES

### 1. MAP

Each plan shall have a map titled 'Crown Land Classification Plan' and it shall be dated.

This map will illustrate the location of all Crown land in the area and identify its classification.

The map may be located within the body of the text or in a pocket at the rear of the plan. The map shall be of such a scale as to be easily readable.

### 2. APPENDICES

There are two Appendices for each plan.

Appendix 1. Site Specific Crown Land Classifications. As mapping scale may not allow the illustration of small site specific uses of Crown land, these are listed in Appendix 1. It shall consist of a table labeled as follows

| Location | Size | Classification |
|---|---|---|

Appendix 2. Record of Amendments

All future amendments to the plan are to be appended here.

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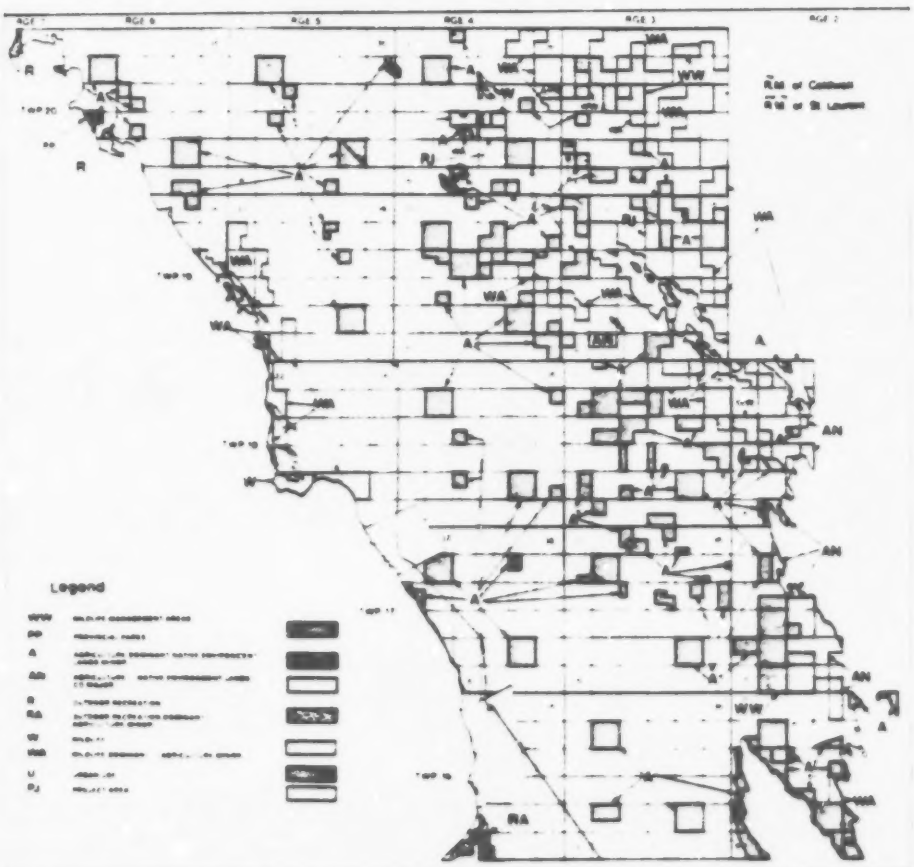
# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... XI. PROVINCIAL CROWN LAND USE CLASSIFICATION PLAN

**Section** ..... B. Maps and Appendices




CROWN LAND CLASSIFICATION PLAN
JANUARY 7, 1982

Western Interlake Planning District - map 1

Manitoba

# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... A. Introduction

## A. INTRODUCTION

The following procedures include those which pertain to the operation of the Crown Land Classification Committee as a committee. As a general principle, the CLCC attempts to reach unanimous consensus on all decisions. When unanimity is not possible, a recorded vote is taken with majority ruling. If a split on an issue is such that the Committee deems it can not make a decision even though there is a majority, the issue is referred to the Provincial Land Use Committee. All decisions of the Crown Land Classification Committee are recorded.

At least four members (or their alternates) must be present for a regular business meeting quorum. All members have only one vote and there are no tie breaking procedures, that is, the Chairman of the meeting has no extra voting powers other than that of a regular committee member.

## B. OPERATING PROCEDURES: COMMITTEE

### 1. Election of Chairman and Vice-Chairman

i) The Committee shall elect a Chairman and Vice-Chairman from the Committee at large. Each position shall be selected by majority vote.

ii) The term of office shall be for two years.

### 2. Secretary and Crown Land Co-ordinators

The Secretary and Crown Land Co-ordinators are selected by the Crown Land Classification Committee from the participating Departments and designated by the appropriate authority.

### 3. Crown Land Classification Committee Minutes of Meetings

i) The minutes of Crown Land Classification Committee meetings shall be recorded by the Secretary.

ii) Formal minutes of meetings shall be prepared by the Secretary and reviewed by the Committee at the next regular meeting.

iii) At the next meeting the Minutes shall be reviewed, amended and approved by unanimous agreement of all Crown Land Classification Committee members.

### 4. Crown Land Classification Committee: Directives

The Crown Land Classification Committee Minutes of Meeting are not available for general distribution. Therefore, any directive or action required as agreed to by the Crown Land Classification Committee will be dealt with in the following manner.

i) Upon completion of the meeting, the Crown Land Classification Committee Secretary shall prepare such separate correspondence as required and shall forward the correspondence to the appropriate people and/or Bloc Planning Committee Chairman.

ii) The correspondence shall detail the agreed decision/directive of the Crown Land Classification Committee.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... C. General Procedures-Guidelines

Subsection ..... 1. Requests for Review of Codes by Ministers, Members of the Legislature or Executive Staff of any Department or Crown Land Classification Committee Members

## C. GENERAL PROCEDURES - GUIDELINES

### 1. Requests for Review of Codes by Ministers, Members of the Legislature or Executive Staff of any Department or Crown Land Classification Committee Member

It is Crown Land Classification Committee policy to undertake a review of land use classifications when requested by a Minister, Member of the Legislature, Deputy, Assistant Deputy Minister, and Branch Director, or any Member of the Crown Land Classification Committee. Upon receipt of such a request the following procedure will be followed.

i) The request will be presented to the Crown Land Classification Committee members with as much background information as possible. It will be the responsibility of Committee member or Secretary bringing the request forward to provide the background information.

The request will be presented to the Committee members at the regular meeting of the Committee.

ii) Upon review of the request the Committee shall determine whether the request is approved, rejected or whether more information is required.

The Committee shall determine whether the Bloc Planning Committee need be requested for their recommendation.

iii) Upon a final decision on the request by the Committee, the Secretary shall prepare the appropriate correspondence.

The Secretary shall be responsible for informing the Bloc Planning Committee of the decision.

The above procedure will be followed where there is no Provincial Crown Land Use Classification Plan. Where such a plan exists, it is encumbent on the Committee to ensure complete review of the request if a change to the Provincial Plan will result. Therefore, where the review will result in a change to a Provincial Plan, Procedure XII. C. 4 or Procedure XII. C. 5 will also be followed.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... C. General Procedures-Guidelines

Subsection ..... 1. Request for Review of Codes by Field or Head Office Staff

C. GENERAL PROCEDURES - GUIDELINES

2. Request for Review of Codes by Field or Head Office Staff

i) Upon receipt of a request for a review of land use codes the Crown Land Classification Committee Secretary shall automatically forward the request to the appropriate Bloc Planning Committee.

ii) Upon receiving the Bloc Planning Committee's recommendation, the Secretary shall place all information before the Crown Land Classification Committee.

iii) Upon a decision of the Committee, the Secretary shall inform the person requesting the code review and the Bloc Planning Committee.

The above procedure will be followed where there is no Provincial Crown Land Use Classification Plan. Where such a plan exists, it is encumbent on the Committee to ensure complete review of the request if a change to the Provincial Plan will result. Therefore, where the review will result in a change to a Provincial Plan, Procedure XII. C.4 or Procedure XII C.5 will also be followed.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

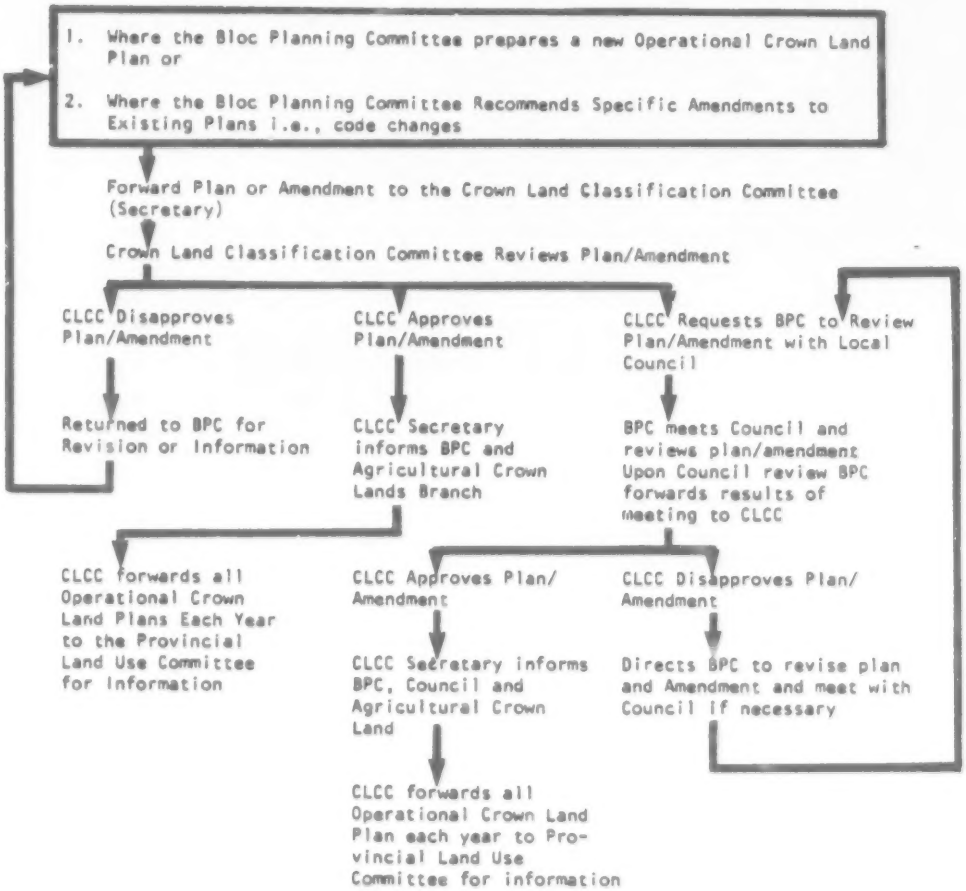
Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... C. General Procedures-Guidelines

Subsection ..... 3. Review and Approval Procedure for Operational Crown Land Plans and Amendments (i.e., Code Changes): Where no Provincial Crown Land Use Classification Plan Exists

## C. GENERAL PROCEDURES - GUIDELINES

### 3. Review and Approval Procedure for Operational Crown Land Plans and Amendments: Where NO Provincial Crown Land Use Classification Plan Exists


1. Where the Bloc Planning Committee prepares a new Operational Crown Land Plan or
2. Where the Bloc Planning Committee Recommends Specific Amendments to Existing Plans i.e., code changes
Forward Plan or Amendment to the Crown Land Classification Committee (Secretary)
Crown Land Classification Committee Reviews Plan/Amendment
CLCC Disapproves Plan/Amendment
CLCC Approves Plan/Amendment
CLCC Requests BPC to Review Plan/Amendment with Local Council
Returned to BPC for Revision or Information
CLCC Secretary informs BPC and Agricultural Crown Lands Branch
BPC meets Council and reviews plan/amendment Upon Council review BPC forwards results of meeting to CLCC
CLCC forwards all Operational Crown Land Plans Each Year to the Provincial Land Use Committee for Information
CLCC Approves Plan/ Amendment
CLCC Disapproves Plan/ Amendment
CLCC Secretary informs BPC, Council and Agricultural Crown Land
Directs BPC to revise plan and Amendment and meet with Council if necessary
CLCC forwards all Operational Crown Land Plan each year to Provincial Land Use Committee for information

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

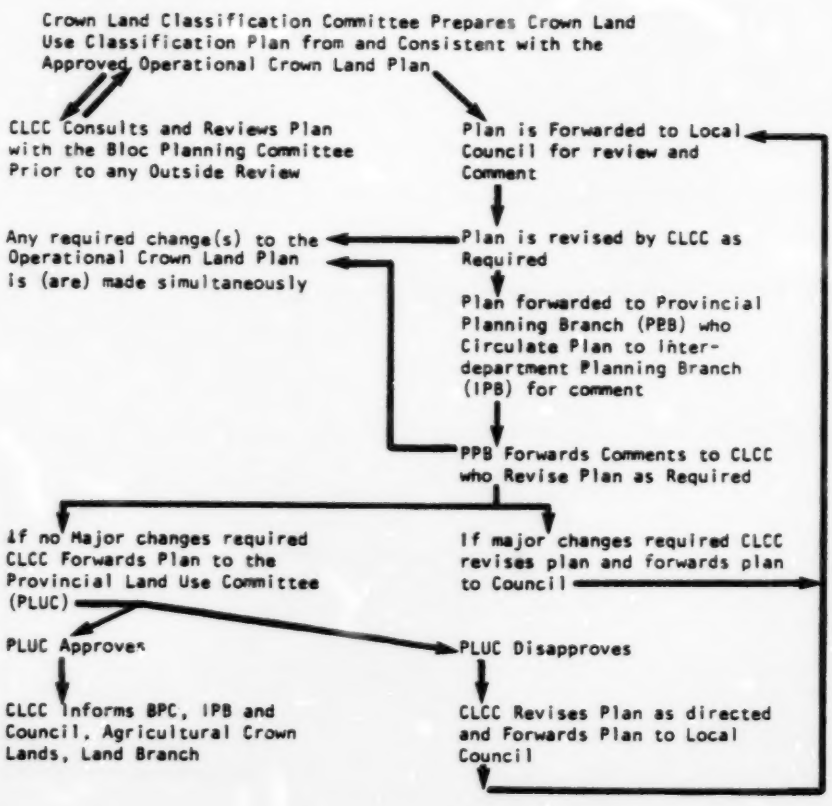
Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... C. General Procedures-Guidelines

Subsection ..... 4. Review and Approval Procedure for Provincial Crown Land Use Classification Plan and Amendments there to: Where no Planning Districts Exists

## C. GENERAL PROCEDURES - GUIDELINES

### 4. Review and Approval Procedure for Provincial Crown Land Use Classification Plan and Amendments thereto: Where no Planning District Exists


Crown Land Classification Committee Prepares Crown Land Use Classification Plan from and Consistent with the Approved Operational Crown Land Plan
CLCC Consults and Reviews Plan with the Bloc Planning Committee Prior to any Outside Review
Plan is Forwarded to Local Council for review and Comment
Any required change(s) to the Operational Crown Land Plan is (are) made simultaneously
Plan is revised by CLCC as Required
Plan forwarded to Provincial Planning Branch (PPB) who Circulate Plan to Inter-department Planning Branch (IPB) for comment
PPB Forwards Comments to CLCC who Revise Plan as Required
If no Major changes required CLCC Forwards Plan to the Provincial Land Use Committee (PLUC)
If major changes required CLCC revises plan and forwards plan to Council
PLUC Approves
PLUC Disapproves
CLCC Informs BPC, IPB and Council, Agricultural Crown Lands, Land Branch
CLCC Revises Plan as directed and Forwards Plan to Local Council

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

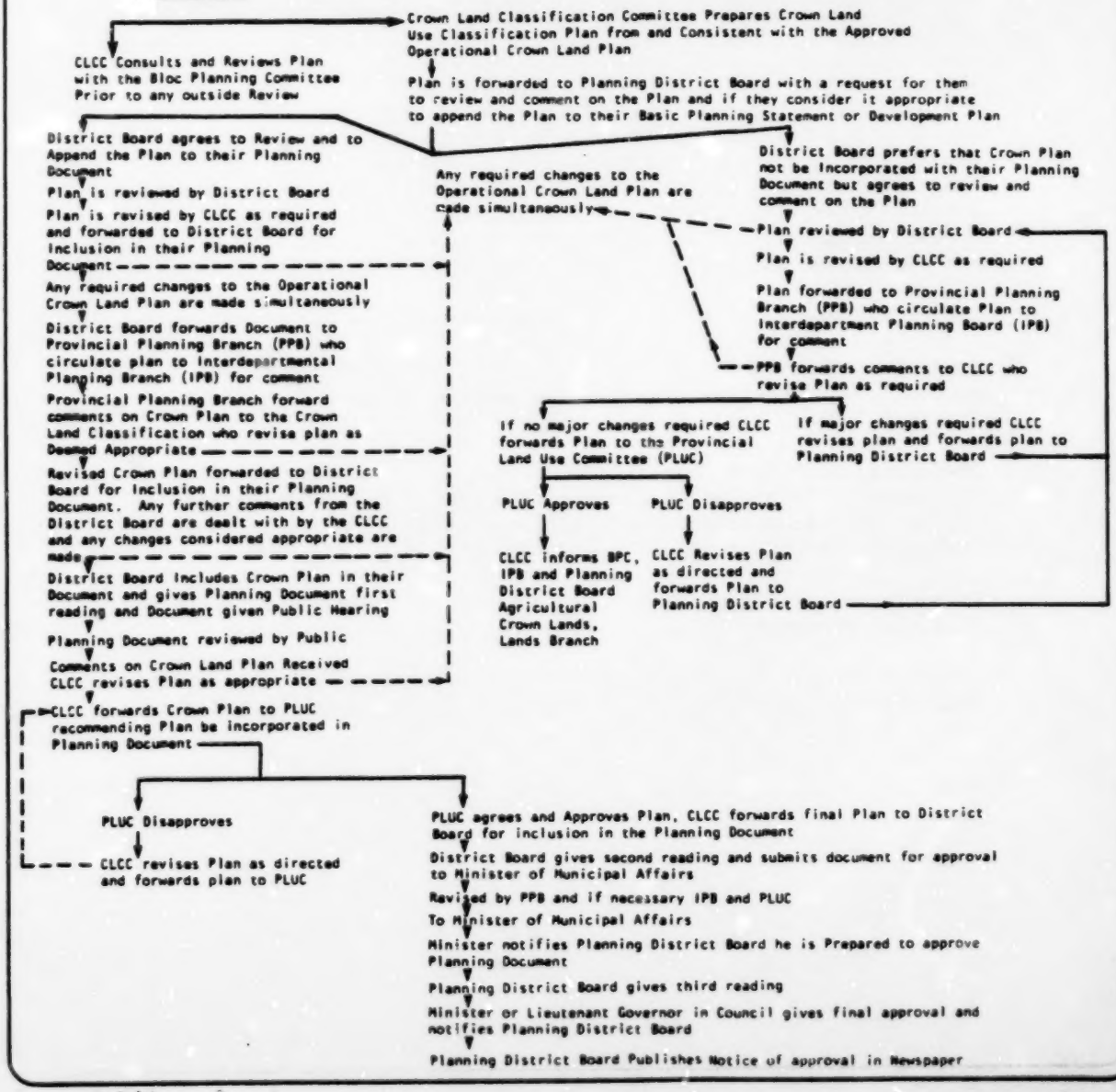
Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... C. General Procedures-Guidelines

Subsection ..... 5. Review and Approval Procedure for Provincial Crown Land Use Classification Plan and Amendments there to: Where a Planning District has been Established

## C. GENERAL PROCEDURES - GUIDELINES

### 5. Review and Approval Procedure for Provincial Crown Land Use Classification Plan and Amendments thereto: Where a Planning District has been Established


Crown Land Classification Committee Prepares Crown Land Use Classification Plan from and Consistent with the Approved Operational Crown Land Plan
CLCC Consults and Reviews Plan with the Bloc Planning Committee Prior to any outside Review
Plan is forwarded to Planning District Board with a request for them to review and comment on the Plan and if they consider it appropriate to append the Plan to their Basic Planning Statement or Development Plan
District Board agrees to Review and to Append the Plan to their Planning Document
Plan is reviewed by District Board
Plan is revised by CLCC as required and forwarded to District Board for Inclusion in their Planning Document
Any required changes to the Operational Crown Land Plan are made simultaneously
District Board forwards Document to Provincial Planning Branch (PPB) who circulate plan to Interdepartmental Planning Branch (IPB) for comment
Provincial Planning Branch forward comments on Crown Plan to the Crown Land Classification who revise plan as Deemed Appropriate
Revised Crown Plan forwarded to District Board for Inclusion in their Planning Document. Any further comments from the District Board are dealt with by the CLCC and any changes considered appropriate are made
District Board Includes Crown Plan in their Document and gives Planning Document first reading and Document given Public Hearing
Planning Document reviewed by Public
Comments on Crown Land Plan Received CLCC revises Plan as appropriate
District Board prefers that Crown Plan not be Incorporated with their Planning Document but agrees to review and comment on the Plan
Any required changes to the Operational Crown Land Plan are made simultaneously
Plan reviewed by District Board
Plan is revised by CLCC as required
Plan forwarded to Provincial Planning Branch (PPB) who circulate Plan to Interdepartment Planning Board (IPB) for comment
PPB forwards comments to CLCC who revise Plan as required
If no major changes required CLCC forwards Plan to the Provincial Land Use Committee (PLUC)
If major changes required CLCC revises plan and forwards plan to Planning District Board
PLUC Approves
PLUC Disapproves
CLCC informs BPC, IPB and Planning District Board Agricultural Crown Lands, Lands Branch
CLCC Revises Plan as directed and forwards Plan to Planning District Board
CLCC forwards Crown Plan to PLUC recommending Plan be incorporated in Planning Document
PLUC Disapproves
CLCC revises Plan as directed and forwards plan to PLUC
PLUC agrees and Approves Plan, CLCC forwards final Plan to District Board for inclusion in the Planning Document
District Board gives second reading and submits document for approval to Minister of Municipal Affairs
Revised by PPB and if necessary IPB and PLUC
To Minister of Municipal Affairs
Minister notifies Planning District Board he is Prepared to approve Planning Document
Planning District Board gives third reading
Minister or Lieutenant Governor in Council gives final approval and notifies Planning District Board
Planning District Board Publishes Notice of approval in Newspaper

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... C. General Procedures-Guidelines

Subsection ..... 6. Review and Approval Procedure for Coding Changes to Operational and Provincial Crown Land Use Classification Plans where both Plans Exist

## C. GENERAL PROCEDURES - GUIDELINES

### 6. Review and Approval Procedure for Coding Changes to Operational and Provincial Crown Land Use Classification Plans Where Both Plans Exist

While there are specific procedures to be followed in the review and approval of Operational and Provincial plans and amendments thereto, the following procedure is outlined to ensure that it is explicitly understood that there is a commitment by the Provincial Land Use Committee and the Crown Land Classification Committee to approved Provincial Plans and, therefore, to the associated Operational Plans. This commitment translates itself into a comprehensive review and approval process to changes in the plan.

Therefore, where there is a Provincial Crown Land Use Classification Plan there must be no conflict between this plan and the Operational Crown Land Plan. If there is a conflict, the Provincial Plan has precedence and the Operational Plan must be amended to reflect the Provincial Plan.

Therefore, when Bloc Planning Committees are recommending changes (amendments) to Operational Crown Land Plans, they must determine whether the recommended change will result in a change in the Provincial Crown Land Use Classification Plan.

If there is no change to the Provincial Crown Land Use Classification Plan then Procedure XII.C.3 will be followed.

If there is a change to the Provincial Crown Land Use Classification Plan then Procedure XII.C.4 or Procedure XII.C.5 will be followed.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... C. General Procedures-Guidelines

Subsection ..... 7. Implementation of Amendments to Provincial Crown Land Use Classification Plans

## C. GENERAL PROCEDURES - GUIDELINES

### 7. Implementation of Amendments to Provincial Crown Land Use Classification Plans

The Provincial Land Use Committee of Cabinet has approved the following procedure concerning amendments to Provincial Crown Land Plans.

"Where an amendment to a Provincial Crown Land Use Classification Plan has been approved without condition by the Planning District Board, Local Council, Interdepartmental Planning Board Members, and the Crown Land Classification Committee, the implementation of the amendment may occur prior to referral to the Provincial Land Use Committee".

The Crown Land Classification Committee applies this procedure to all amendments excepting those involving Order-in-Council designation of Crown lands. Order-in-Council amendments are processed using procedure XII. C.8.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

**Chapter** ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

**Section** ..... C. General Procedures-Guidelines

**Subsection** ..... 8. Review and Approval Procedures for Proposed Order-in-Council Land Designations in Agro-Manitoba

## C. GENERAL PROCEDURES - GUIDELINES

### 8. Review and Approval Procedures for Proposed Order-in-Council Land Designations in Agro-Manitoba

Background

The Crown Land Classification Committee is responsible for; "The on-going review and recommendation to the Provincial Land Use Committee of any major designation of Crown land to use in Agro-Manitoba, i.e., Provincial Parks, Forests, Wildlife Management Areas, Community Pastures, etc.".

As a result of the above directive, the Crown Land Classification Committee has established the following procedure in their review of a request for a change in Crown land use designation by Order-in-Council.

1. The Crown Land Classification Committee shall forward the proposed Order-in-Council Land designation request (Provincial Park, Provincial Forest, Wildlife Management Area, Community Pasture etc.) to the Bloc Planning Committee for review and comment.

2. The Crown Land Classification Committee shall review the proposed change in land use designation with the Local Council or Planning District Board. This may be done directly by the Crown Land Classification Committee or the Bloc Planning Committee may be directed in conjunction with the Department (Branch) proposing the new designation to review the proposal with the Board or Council.

3. The Bloc Planning Committee recommendation along with the Council's/ Board's comments will be forwarded to the Crown Land Classification Committee.

4. The Crown Land Classification Committee will also forward the proposed change in Crown land designation to, the Department of Natural Resources, Resource Allocation Working Group and the Interdepartmental Planning Board for review and comment.

5. Crown Land Classification Committee reviews all comments received and makes a recommendation to the Provincial Land Use Committee of Cabinet.

6. If the Provincial Land Use Committee approves the change in designation, the Crown Land Classification Committee notifies the proponent of the proposed Order-in-Council land designation.

   It is then the responsibility of the Department (proponent) in conjunction with the Department of Natural Resources, Land Branch, to prepare the Order-in-Council for their Minister's signature.

   The Crown Land Classification Committee will also forward to Lands Branch, Department of Natural Resources, all correspondence concerning the proposal for Lands Branch files.

7. Upon the passing of the Order-in-Council by Cabinet, the Crown Land Classification Committee shall change its Crown Land Plans accordingly and will notify the Bloc Planning Committee, Council/ Board, Interdepartmental Planning Board, Resource Allocation Working Group, etc.

   The Crown Land Classification Committee shall request that Land's Branch, Department of Natural Resources to keep them informed when Orders-in-Council are passed and changes to the Central Registry are being made respecting the Order-in-Council

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*Proposals mean a description of the area being considered for a Park, Forest, Ecological Reserve, W.M.A. etc. Some justification and broad purpose should also be provided in the proposal. Detailed management plans etc. may not be required at this time.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XII. CROWN LAND CLASSIFICATION COMMITTEE PROCEDURES

Section ..... C. General Procedures-Guidelines

Subsection ..... 9. Protection of Publicly Significant Shoreland

## C. GENERAL PROCEDURES - GUIDELINES

### 9. Protection of Publicly Significant Shoreland

In respect of the present Agricultural Crown Land Sale Program, the Provincial Land Use Committee has agreed:

"... that once a parcel of land was identified as not being for sale because the shoreland was publicly significant, then that parcel should be formally designated for protection in the Crown Land Classification Committee coding system".

The following directive shall be implemented by the Crown Land Classification Committee by the following procedure.

1. Where a sale request has been rejected by the Crown Land Classification Committee, the decision appealed and the appeal denied by the Provincial Land Use Committee of Cabinet because of publicly significant shoreland; the parcel or that portion so identifed as shoreland shall be coded as a significant shoreland.

   The operational coding shall also identify the reason for its significance.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

**Section** ..... A. Introduction

## A. INTRODUCTION

Bloc Planning Committee operating procedures as established by the Crown Land Classification Committee are standarized and apply to all Committees. The procedures which govern the operation of the committee itself are limited, as a result each BPC may establish its own procedures for those areas where the BPC deem it necessary. However, such procedures should be forwarded to the Crown Land Classification Committee for information.

As a principle, Bloc Planning Committees will attempt to reach unanimous consensus on all issues the Committee addresses. When unanimity is not possible the issue must be referred to the Crown Land Classification Committee as the Bloc Planning Committee does not operate by majority rule.

At least three members (or their alternates) must be present to have a regular business meeting quorum. All members have only one vote and there are no tie breaking procedures, that is, the Chairman of the meeting has no extra voting powers other than that of a regular committee member.

All Bloc Planning Committee decisions must be recorded and forwarded to the Crown Land Classification Committee Secretary.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

Section ..... B. Approval Operating Procedures: Committee

## B. APPROVED OPERATING PROCEDURES: COMMITTEE

### Election of Chairman and Secretary

Each Bloc Planning Committee shall elect a Chairman and Secretary. No member shall hold more than one position on a Committee.

i. The Bloc Planning Committee shall elect a Chairman and Secretary from the members at large. Each position to be selected by majority vote.

ii. The term of office shall be for two years, after which time elections shall be held.

### Bloc Planning Committee Minutes of Meetings: Approval of

i. The minutes of the Bloc Planning Committee meetings shall be recorded by the Secretary.

ii. Formal minutes of meetings shall be prepared by the Secretary and reviewed by the Bloc Planning Committee.

iii. The Bloc Planning Committee shall amend and approve the Minutes by unanimous agreement.

iv. A copy of the approved Bloc Planning Committee Minutes shall be forwarded to the Secretary of the Crown Land Classification Committee.

### Bloc Planning Committee Recommendations/Decisions

Any decision by the Bloc Planning Committee which must subsequently be reviewed, approved and actioned by the Crown Land Classification Committee is in effect a recommendation to the Crown Land Classification Committee. When such recommendations are made by the Bloc Planning Committee at regular meetings, these decisions by the Bloc Planning Committee shall be transmitted in separate correspondence to the Crown Land Classification Committee in addition to being recorded in Bloc Planning Committee minutes. All such correspondence shall be addressed to the Secretary for the Crown Land Classification Committee.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

Section ..... C. Approved General Procedures-Guidelines

Subsection ..... 1. Format for Bloc Planning Committee Minutes of Meetings

The following procedure/guidelines outline the instructions and the working mechanisms, which have been approved by the Crown Land Classification Committee. They cover such items as meeting minute formats to procedures for reviewing agricultural site specific requests.

C. APPROVED GENERAL PROCEDURES/GUIDELINES

1. Format for Bloc Planning Committee Minutes of Meetings

i. HEADING - indicate Bloc Planning Committee Name and Number, and the MEETING #.

ii. Date of Meeting, Time and Location.

iii. Persons Attending

a) voting members
b) other attending and why
c) Chairman, Secretary

iv. Give Agenda of the Meeting

v. Adoption of Minutes of Meeting can be done in two ways.

a) can approve previous Bloc Planning Committee Meeting Minutes here, or,

b) can approve the Minute of the Meeting separately

vi. Agenda Items should:

a) itemize the discussion

b) indicate outcome of discussion if any, and,

c) record actions to be taken and why whom

vii. Indicate next meeting date

viii. A copy of the approved Meeting Minutes is to be forwarded to the Crown Land Classification Committee Secretary.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

**Section** ..... C. Approved General Procedures-Guidelines

**Subsection** ..... 2. Guidelines for Bloc Planning Committee Presentations to the Crown Land Classification Committee

## C. APPROVED GENERAL PROCEDURES - GUIDELINES

### 2. Guidelines for Bloc Planning Committee presentations to the Crown Land Classification Committee

1. A written submission is always required. Only one combined report is to be forwarded to the Crown Land Classifications Committee. This report shall include:

   a) A statement of the problem,

   b) The positions of the individual members, or departments (this should be a brief statement, not more than ½ page each - one position shall follow the other).

   c) An outline of agreed upon facts-factors with a brief explanation related to the problem-conflict. This outline shall include some or all, but not limited to, the following:

      1. Soil type
      2. Vegetative cover
      3. Potential uses of land
         i.e., Forestry, Agriculture, Wildlife, etc.
      4. Social Factors
         - services (infrastructure), local government lessee's alternative, lesses's present holdings and leases, etc.
      5. Economic impact
         - economic development, tax base
      6. Physical impact
         - conservation, erosion
      7. Photo coverage - maps, etc.
      8. Operational Crown Land Plan and/or present Operational Crown Land Use Code
      9. Alternative sites if available.

   d) Facts-factors not agreed to by the parties concerned and the position of each party regarding the facts-factors under dispute.

   e) Recommendation of each party with any explanation-arguments deemed appropriate.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

Section ..... C. Approved General Procedures-Guidelines

Subsection ..... 2. Guidelines for Bloc Planning Committee Presentations to the Crown Land Classification Committee

Twelve copies of the report shall be forwarded to the Crown Land Classification Committee Secretary. Upon review by the Crown Land Classification Committee Secretary, Crown Land Classification Committee members and/or at the request of the Bloc Planning Committee; a formal oral presentation to the Crown Land Classification Committee may be scheduled.

ii) The oral presentation is to be limited to not more than ¼ hour, that is 15 minutes per position (all members of the Bloc Planning Committee may be present and appropriate resource persons approved by the Chairman, Crown Land Classification Committee).

a) The Chairman of the Bloc Planning Committee shall introduce those present and give a brief introduction outlining the problem (time allotment 5 minutes) upon which he will turn the presentation over to the first speaker. The role of the Bloc Planning Committee Chairman after his introduction shall be that of just another Bloc Planning Committee member.

b) No questions will be entertained during the oral presentation by each party. Questions may occur after each presentation.

c) If speaker intend to use visual aids (projectors, overheads) which require set up time, this is to be indicated to the Crown Land Classification Committee Secretary at least one day prior to the presentation.

d) After all questions have been answered the Crown Land Classification Committee will request the Bloc Planning Committee members to leave the meeting. The Crown Land Classification Committee will send a written decision to the Bloc Planning Committee Chairman following their discussion of the problem.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

Section ..... C. Approved General Procedures-Guidelines

Subsection ..... 3. Procedure for Operational Crown Land Use Code Changes

## C. APPROVED GENERAL PROCEDURES - GUIDELINES

### 3. Procedure for Operational Crown Land Use Code Changes

Bloc Planning Committees are responsible for recommending operational land use code changes to the Crown Land Classification Committee. These changes shall be:

1. Reviewed and approved by each Bloc Planning Committee at regular meetings held during the calendar year.

2. At the end of each calendar year (by December 31) each Bloc Planning Committee shall submit to the Secretary of the Crown Land Classification Committee a list of recommended code changes.

   This listing should give the legal description, the old code and the new recommended code for each parcel.

   The listing should also identify any non-conforming uses and those codes which would require an amendment to an approved Provincial Crown Land Use Classification Plan.

3. The Crown Land Classification Committee shall process these recommendations as per the appropriate procedure as indicated in Chapter XII.

   These code changes are reviewed and approved once a year and are in place for 1 year.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

Section ..... C. Approved General Procedures-Guidelines

Subsection ..... 4. Procedure for Obtaining Code Change Approvals Which are Required for Immediate Implementation

C. APPROVED GENERAL PROCEDURE - GUIDELINES

4. Procedure for Obtaining Code Changes Approvals Which are Required for Immediate Implementation

Under normal circumstances Bloc Planning Committees submit code changes to the Crown Land Classification Committee once a year for review and approval. Procedures as indicated in XII. C.3, XII C.4, XII. C.6 would normally apply as the circumstances required.

However, where a member of a Bloc Planning Committee or a Land Representative required immediate implementation of a code change which had Bloc Planning Committee approval, that code change will be reviewed as follows:

1. The Land Representative or Bloc Planning Committee Chairman will advise D. Meseman, Agro-Land Planner, Department of Agriculture or the Secretary of the Crown Land Classification Committee as appropriate.

2. Upon review, the Secretary of the Crown Land Classification Committee may give immediate interim approval without Crown Land Classification Committee review to the implementation of the approved Bloc Planning Committee code change recommendation.

3. The Secretary shall then notify the Bloc Planning Committee that the code has been changed.

4. The Crown Land Classification Committee shall be advised of the code change.

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This procedure can be used for obtaining additional development, advertisement etc. where deadlines have to be met and the Crown Land Classification Committee normal procedures (codes in place for 1 year at a time) is inappropriate.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

**Chapter** ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

**Section** ..... C. Approved General Procedures-Guidelines

**Subsection** ..... 5. Procedure for Reviewing Site Specific Commercial Agricultural Requests Outside of the Defined Agro-Manitoba Boundary

## C. APPROVED GENERAL PROCEDURE - GUIDELINES

### 5. Procedure for reviewing site specific commercial agricultural requests outside of the defined Agro-Manitoba boundary

In the area identified outside of Agro-Manitoba (See Map IV-I), the Crown Land Classification Committee will only undertake land use classification of Crown land on a site specific basis. This means that only upon application for commercial agricultural use of an area greater than or equal to five (5) acres will the Crown Land Classification Committee undertake to determine agricultural suitability and classify the land for use.

As a general principle, Crown lands of 5 acres or more which will be used for commercial agricultural purposes should be administered by the Department of Agriculture, Agricultural Crown Lands Branch.

Therefore, commercial agricultural requests in the area outside of Agro-Manitoba will be dealt with in the following manner by all Bloc Planning Committees.

i. Bloc Planning Committee receives notification of the agricultural request. This notification can come from Head Office Agricultural Crown Lands Branch, Lands Branch, from the regional office of the Department of Agriculture or Natural Resources.

ii. Bloc Planning Committee shall assess the land in question as to suitability of the intended agricultural use.

iii. If the areas are not suitable, the Bloc Planning Committee informs the Crown Land Classification Committee Secretary by written correspondence of their recommendation. The recommendation shall include the reasons for rejection.

iv. If the area is suitable and the Bloc Planning Committee has no concerns, the Bloc Planning Committee informs the Crown Land Classification Committee Secretary by written correspondence. The Bloc Planning Committee shall copy the Chief of Crown Land Administration requesting a complete check of the Central Registry to ensure there are no outstanding reservations.

Results of the Central Registry review shall be forwarded to the Crown Land Classification Committee Secretary.

v. If the area is suitable but the Bloc Planning Committee have concerns or identified conflicts other than those agriculturally related and cannot come to an agreed position, then the Bloc Planning Committee is to prepare a written submission for Crown Land Classification Committee consideration. The submission submitted shall follow the guidelines established by the Crown Land Classification Committee for written submissiosn. The Bloc Planning Committee shall copy the Chief of Crown Land Administration requesting a complete check of the Central Registry to ensure there are no outstanding reservations.

Results of the Central Registry review shall be forwarded to the Crown Land Classification Committee Secretary.

vi. Upon receipt of written correspondence from the Bloc Planning Committee indicating their recommendation, the Crown Land Classification Committee Secretary will place the item on the agenda of the next regular meeting of the Crown Land Classification Committee and will ensure all pertinent information is made available to Crown Land Classification Committee members.

vii. Upon review of the application and Bloc Planning Committee recommendation or written submission the Crown Land Classification Committee shall decide on the merits of the land use request.

viii. The Crown Land Classification Committee Secretary shall inform the Bloc Planning Committee, Lands Branch - Department of Natural Resources and Agricultural Crown Lands Branch, Department of Agriculture of their decision.

ix. If the Crown Land Classification Committee cannot make a final decision, the issue will be referred to the Provincial Land Use Committee for a decision.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

Section ..... C. Approved General Procedures-Guidelines

Subsection ..... 6. Procedure for Reviewing Agricultural Crown Lands Branch Advertising Lists

## C. APPROVED GENERAL PROCEDURES - GUIDELINES

### 6. Procedure for Reviewing Agricultural Crown Lands Branch Advertising Lists

Bloc Planning Committees are responsible for recommending operational land use coding to the Crown Land Classification Committee. The Agricultural Crown Lands Branch (ACL) administor agriculturally designated Crown land from the operational Crown land plans as approved by the Crown Land Classification Committee. These plans are reviewed and amended annually.

Agricultural Crown Lands prepares their advertising lists utilizing the codes as approved by the Crown Land Classification Committee. The following are the procedures of the Agricultural Crown Lands and the Crown Land Classification Committee respecting the listing of lands on the advertising lists.

1. Upon receipt of a request for use of a parcel of land, cancellation or surrender of a lease or the identification of vacant land for use, Agricultural Crown Lands staff will check the operational Crown land plan for the land use code.

2. Agricultural Crown Land's representative checks the agricultural suitability of the parcel and recommends the type of agricultural use (within the land use code restrictions).

3. Agricultural Crown Lands staff will then establish the type of agricultural disposition on the parcel, if still available and the parcel is placed on the preliminary advertising list.

4. The preliminary advertising list is then forwarded to Department of Natural Resources land manager, Bloc Planning Committee, Chairman and Crown Land Classification Committee, Secretary. Fifteen working days for review and comment shall be given.

   If the Department of Natural Resources land manager has no concerns, he will notify Agricultural Crown Lands Head Office.

5. If the Department of Natural Resources land manager identified a potential problem requiring a review of the land use code, then he shall: notify Agricultural Crown Lands Head Office, the appropriate Bloc Planning Committee and the Crown Land Classification Secretary. With the notification shall be the reason - explanations of the potential problem.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XIII. BLOC PLANNING COMMITTEE PROCEDURES

Section ..... C. Approved General Procedures-Guidelines

Subsection ..... 6. Procedure for Reviewing Agricultural Crown Lands Branch Advertising Lists

6. Upon receipt of the notification by the Department of Natural Resources land manager the Bloc Planning Committee shall review the parcel relative to the potential problem, as soon as possible. Until review by the Bloc Planning Committee, Agricultural Crown Lands Branch shall hold in abeyance these lands from their lists.

   a) If the Bloc Planning Committee recommends that the code remains as indicated on the Operational Plan, the Bloc Planning Committee will notify the Crown Land Classification Committee Secretary, Agricultural Crown Lands Head Office and land manager for the Department of Natural Resources. No further review of the parcel shall be undertaken by the Crown Land Classification Committee and the lands can be rescheduled on Agricultural Crown Land's advertising list.

   b) If the Bloc Planning Committee recommends a change in land use coding, the Bloc Planning Committee will notify the Crown Land Classification Committee Secretary and Agricultural Crown Land Head Office staff (included with the recommendation should be the pertinent background material). Upon receipt of the recommended change in coding, the Crown Land Classification Committee Secretary will table the change for Crown Land Classification Committee approval.

   c) If the Bloc Planning Committee is divided on the land use coding, the Bloc Planning Committee shall forward to the Crown Land Classification Committee Secretary all pertinent information requesting the Crown Land Classification Committee to review the conflict. (The material forwarded to the Crown Land Classification Committee shall follow the guidelines established by the Crown Land Classification Committee for written submissions). Upon receipt of the requests and the material, the Secretary will table the conflict for Crown Land Classification Committee review.

7. Upon review of any parcels (6b, 6c) forwarded to the Crown Land Classification Committee, the Crown Land Classification Committee shall notify Agricultural Crown Lands Head Office, and the Bloc Planning Committee of its decision.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

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Section ..... C. Approved General Procedures-Guidelines

Subsection..... 6. Procedure for Reviewing Agricultural Crown Lands Branch Advertising Lists

8. Lands identified for withdrawal, other than errors, from the preliminary advertising list, shall be forwarded to the Bloc Planning Committee, Agricultural Crown Land Head Office and Crown Land Classification Committee Secretary. (The procedure shall start again at '6' for those parcels withdrawn).

9. The final advertising list is then prepared and advertised and allocation process completed.

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Note: The 15 working day review (4) has a limited purpose to:

a) check the list for possible errors, i.e., lands added by mistake or wrong codes.

b) check the list for lands against any areas proposed for a special project or disposition which has been established since the initial coding.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XIV. AGRICULTURAL CROWN LAND SALES

Section ..... A. Policy Sale of Agricultural Land Under Crown Lease

## A. POLICY: SALE OF AGRICULTURAL LAND UNDER CROWN LEASE

Effective from August 11, 1982
until rescinded
AMENDED DECEMBER 29, 1983

### A. Purpose

To enable the sale of agricultural Crown lands that were under a long term lease to the existing Lessee, or where the Lessee received the lease via an In-family Transfer.

### B. Authority

Chapter C340 - The Crown Lands Act - Section 7(1): "The Lieutentant Governor in Council may (a) determine the limits to be placed upon the price of Crown lands and the terms and conditions of sale and of payment,. . ."

Note: (1) The ministerial authority to sell land under the above is with the Minister of Natural Resources.

(2) The ministerial authority to administer agricultural leases is with the Minister of Agriculture.

Therefore: The actions taken to sell agricultural Crown land is a co-ordinated effort between the two ministers.

### C. General Conditions

#### I. Eligibility of Purchaser

1. The purchaser must qualify under The Crown Lands Act and the Agricultural Lands Protection Act.

2. The applicant must have held the land under a long term lease for at least two years prior to the date of transfer in order to be eligible to buy the land.

3. The Province reserves the absolute right to refuse a land sale if the applicant is no longer an eligible lessee at the time of title transfer.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

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Section ..... A. Policy Sale of Agricultural Lands Under Crown Lease

II. Suitability of Land

1. The Provincial Land Use Committee of Cabinet will be the authority for the Agricultural Land Sales Program.

2. The Crown land must be agriculturally useable and generally have an agricultural capability of Class 5 or better.

3. The sale of Crown land must not adversely affect the public interest. i.e., The land must not be required for government use and does not require protection as defined by PLUC, policy; including but not limited to the following:

   a) required for future Highways, Hydro, MTS, etc., purposes;

   b) required for resource management and development, including wildlife, forestry, fisheries, recreation, historical/ archaelogical, mineral and watershed protection;

   c) require protection due to instability (flooding, stream bank slippage), erosion (wind or water), fragility (marshes, etc.);

   d) ecologically significant areas;

   e) lands required due to legislative or legal designation (areas designated by Order-in-Council, licensed areas, etc.).

4. Agricultural Crown Lands which contain within their boundaries or are adjacent to waterways, waterbodies and shorelands of public significance shall not be sold.

5. The Crown land must not be required for government use or public recreational development, i.e., Crown lands with the following characteristics:

   a) Canada Land Inventory outdoor recreation lands Class 1, 2 or 3 shall not be sold.

   b) Shorelands which have important/priority recreational significance which may not be Class 1, 2 or 3 i.e., points of land, islands less than 250 acres and natural harbours, shall not be sold.

c) Natural features of Provincial or regional significance, i.e., waterfalls, unique rock formations, significant vegetative features shall not be sold.

d) Crown lands which are presently being utilized for intensive recreational purposes by local residents on an informal basis shall not be sold, i.e., locally used beaches (of Class 4, 5, 6 or 7).

e) Crown lands classed as having low recreational capability but suitable for and having some probability of cottage development in the future because it is located in proximity to existing recreational developments, shall not be sold, i.e., the Crown land parcel must be capable of having 5 or more cottage lots.

f) Agricultural Crown lands which have limited recreational value but are adjacent to existing recreational developments or high recreational capability lands shall not be sold if it can be shown that development of the land for agricultural or other uses would degrade or negatively impact on the adjacent recreational lands.

g) Agricultural Crown lands with limited recreational value shall not be sold if the sale would restrict public access to important recreational lands.

h) Agricultural Crown lands identified by Parks Branch, as being required for present or future park, recreational or cottage development, shall not be sold.

6. The sale must be for a land use that conforms to local planning schemes and plans must have the approval of the Municipality, the Planning District Board and the Watershed Board, where applicable. Any rejection from these local authorities must be based on land use or land servicing concerns.

III. Amount of Land That Can be Sold to One Applicant

1. The home quarter can be sold without restriction concerning the size of the land holdings and generally without restriction respecting the land capability unless the land use limitations are severe and hazardous.

2. The amount of Crown land for sale to one applicant is limited to 960 acres or six parcels of land (quarter sections or fractions thereof), whichever is the lesser. Any request to purchase Crown lands that would result in an aggregated purchase exceeding this amount since June 1, 1979 will be subject to Provincial Land Use Committee (PLUC) review, based on soil productivity classification and on economic need.

3. Family units, partnerships or farm corporations involving several members will be eligible to purchase up to 960 acres or six parcels of land (quarter sections or fractions thereof), whichever is the lesser. Any request to purchase Crown lands that would result in an aggregated purchase exceeding this amount since June 1, 1979 will be subject to PLUC review.

IV. Conditions of Sale

1. The land will be sold for cash at the time of sale, or in the case of term sale, the sale account may be transferred to the Manitoba Agricultural Credit Corporation subject to such terms and conditions as are agreed to by the Ministers of Natural Resources and Agriculture.

2. In cases where there are land improvements paid for by the Province, the sale price shall be equal to, or greater than, the raw land value, plus the amount of the capital invested by the Province in the improvements.

3. In the case where the improvements were paid for by the lessee, the lessee shall be credited for the improvements; however, the purchase price of the land shall not be less than the raw land value of similar property.

4. All agricultural Crown land purchase requests for agricultural use received subsequent to the approval of this policy paper will be subject to an agreement to be filed as a caveat in series with the title, whereby the purchaser agrees that if resale occurs within the first three years following the land transfer, any increase in value over the full appraised value of the land at the

time or purchase will be shared with the Province on the basis of the following sliding scale:

a) Immediate resale (during first 12 months) - all capital gains will accrue to and be payable to the Province.

b) After one year (12 months + 1 day to the end of 24 months) - 66 2/3% of the capital gains will accrue to and be payable to the Province and 33 1/3% will accrue to the seller.

c) After two years (24 months + 1day to the end of 36 months) - 33 1/3% of the capital gains will accrue to and be payable to the Province and 66 2/3% will accrue to the seller.

d) After three years - all capital gains will accrue to the seller.

5. The Province reserves the right to issue conditional titles or to require special agreements to be filed as caveats against the land to protect the Crown against adverse claims that were unforseen at the time of sale and to ensure such rights as may be determined by Cabinet from time to time to provide such things as:

a) the right of repurchase, at a fixed price, of land required for public works such as roads, drains, etc.

b) the right to preserve public access for hunting, fishing or other outdoor recreation.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

**Chapter** ..... XIV. AGRICULTURAL CROWN LAND SALES

**Section** ..... B. Crown Land Classification Committee Responsibility and Process

## B. CROWN LAND CLASSIFICATION COMMITTEE RESPONSIBILITY AND PROCESS

The Crown Land Classification Committee has been given the responsibility of reviewing all agricultural Crown Land sales and making a recommendation on their suitability for sale within the policy guidelines as determined by the Provincial Land Use Committee and the stated Sales Policy.

The approved procedure is as follows:

1. All requested lands would be circulated by the Department of Natural Resources to appropriate government departments and agencies for comment, using the PLUC system.

2. All comments received would be reviewed by the CLCC with a recommended action presented to PLUC by the Crown Land Classification Committee.

3. All lands for which no valid objection has been raised will automatically be approved and forwarded by the CLCC to the Lands Branch for processing, that is, appraisal, offers to purchase, pricing Orders-in-Councils. PLUC shall be notified.

4. Where a disapproved recommendation is made by the CLCC within approved PLUC policy, Agricultural Crown Lands and Lands Branch shall be automatically notified. The application shall be rejected and processed. PLUC shall be notified.

5. Where further policy clarification is required by the CLCC respecting a purchase request, the CLCC shall bring the matter to PLUC for a decision.

6. All rejected applicants shall be notified that they may appeal to the CLCC with a final decision being rendered by PLUC.

7. The CLCC shall meet at least once every four months with PLUC to review the sales program.

The Crown Land Classification Committee utilizes the following information:

a) The field recommendation of the Bloc Planning Committee. Their recommendations are governed by Crown Land Classification Committee guidelines and are generally based on the capability of the land and needs of various government policies and programs.

b) The Sale Clearance Procedure comments and objections, if any, from most branches-disciplines-agencies in Government. These branches, etc. are those who have indicated an interest in land use and provide the required comments needed to identify those situations which could 'adversely affect the public interest.

c) The comments from the Local Rural Municipality and Local Government District.

From these sources, the Crown Land Classification Committee then prepares a recommendation on the suitability of Crown land for sale.

The Crown Land Classification Committee will make one of four possible recommendations.

1. Approval of the Sale - that is where no objections to the sale are made, or where the objections/comments received are not within policy of the Provincial Land Use Committee, the Crown Land Classification Committee will recommend sale. Parcels which are approved for sale are automatically referred to the Department of Natural Resources, Lands Branch for further processing. It is Provincial Land Use Committee's policy to approve all sales where there are no objections raised.

2. Rejection/Disapproval of the Sale - where the sale of the land does not meet the stated policy or Provincial Land Use Committee Guidelines, the Crown Land Classification Committee will recommend against sale. When such recommendations are made, the applicants so affected are informed by the Department of Agriculture of the reason for rejection by the Crown Land Classification Committee. The applicant is also informed that he may make an appeal in writing to the Lands Branch who shall bring the appeal forward to the Secretary of the Crown Land Classification Committee.

3. Deferral to the Provincial Land Use Committee - where the Crown Land Classification Committee is unsure of the suitability of the land as a result of possible policy conflict, physical factors, social concerns, etc. which are not covered explicitly within the existing sales policy of the Provincial Land Use Committee, the Crown Land Classification Committee refers these lands-concerns to Provincial Land Use Committee for clarification of government policy on the suitability for sale.

4. Rejection of the Appeal - where after review of an appeal by the Crown Land Classification Committee the Committee continues to reject the sale, the appeal is forwarded to the Provincial Land Use Committee for a final decision.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

Chapter ..... XIV. AGRICULTURAL CROWN LAND SALES

Section ..... C. Sales Review Procedure

## C. SALES REVIEW PROCEDURE

The Crown Land Classification Committee is responsible for recommending on the sale suitability of Agricultural Crown Lands. The Committee receives its information, and comments regarding individual land sales from the Department of Natural Resources, Resource Allocation and Planning Branch who undertake to vet (i.e., request comments on) agricultural Crown land sales through government. The Department of Natural Resources provides to the Crown Land Classification Committee a complete Land Clearance file on every parcel of Crown land requested for sale under the Agricultural Crown Land Sales Policy.

The Crown Land Co-ordinator for the Committee reviews each land clearance file and prepares a comment summary sheet on each parcel (see form). In addition to the form the actual comments, if any, received from each Branch, etc. are attached verbatim on a sheet called the Comment/ Explanations Sheet.

The compiled comment summary sheets with attached Comment/Explanations sheets are forwarded to the Committee Secretary who presents them to the Committee for review and recommendation.

It is the Secretary's responsibility to process all land clearance files upon receiving the Committee's recommendation. Where the recommendation is to approve the sale, the clearance files along with completed comment summary sheets are forwarded to the Department of Natural Resources, Lands Branch. Where the applicant has been refused sale, the Secretary informs, the Department of Agriculture who informs the applicant that the land will not be sold giving the reasons for rejection. The land clearance file is forwarded to Lands Branch, for further processing.

Where a parcel of Crown land has been rejected from sale but subsequently an objecting agency removes its objection, the Crown Land Co-ordinator for the Committee shall retreive the Land Clearance File from the Department of Natural Resources, prepare a new Comment Summary Sheet and forward the file to the Committee Secretary. The normal procedure for the sale is then followed.

Periodically, the Crown Land Classification Committee Secretary shall compile a listing of lands approved and disapproved and forwarded the list to all commenting Branches, Agencies. etc.

Where an appeal is received the clearance files will be reconstructed an appeal summary sheet prepared for CLCC review. If appeal is rejected a formal appeal report is prepared by the CLCC for review by the Provincial Land Use Committee.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XIV. AGRICULTURAL CROWN LAND SALES

Section ..... C. Sale Review Procedure

CIRCULATION LIST

Manitoba Telephone System; Property Manager
Manitoba Hydro; Property Manager

Department of Government Services
Land Acquisition Branch; Director

Department of Highways and Transportation
Planning and Design; Director

Department of Energy and Mines
Mineral Resources Branch; Chief Mining Recorder

Department of Municipal Affairs
Municipal Planning; Senior District Planners
Northern Planning Branch; Co-ordinator

Department of Cultural Affairs
Historic Resources Branch; Director

Department of Northern Affairs
Community Services Division; Assistant Director

Department of Agriculture
Agricultural Crown Lands Section; Land Representatives
Regions; Land Resource Specialists

Department of Natural Resources
Parks Branch; Chief of Planning
Water Resources Branch; Chief, Water Management
Wildlife Branch; Director of Wildlife
Fisheries Branch; Fisheries Specialist
Regional Bioloists, Fisheries
Regional Foresters
Regional Biologists, Wildlife
Regional Land Managers
Forestry Branch; Supervisor, Timber Sales Office
Land Management Section; Chief
Resource Allocation and Planning Branch; Chief, Program Planning

Local R.M. or L.G.D. Council

Planning District Board

Bloc Planning Committee

Watershed Conservation District Board

For Information

Highways - Director of Operations

Agriculture - Director of A.C.L., Development Co-ordinator

Natural Resources - R.W. Winstone
Regional Manager - Parsons, Boyle

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XIV. AGRICULTUPAL CROWN LAND SALES

Section ..... C. Sale Review Procedure

Sale _____ Mailing #

Exchange _____ Mailing #

## COMMENTS SUMMARY SHEET

Location _____ R.M./L.G.D. _____

Date Rec'd _____ Circulated _____ Replies Requested _____

Applicant's Name _____ Lease #_____

Applicant's Address _____

LAND DESCRIPTION (if different from "Location", above):

---

M.T.S. .....
Hydro .....

Gov't Services
-Land Acq. Br. .....

Northern Affairs
-A/Dir. Com. Ser. ..

Highways & Transp.
-Dir. Plng.& Lesn.

Energy & Mines
-Mining Recorder. ..

Agriculture
-A.C.L. Reprsntv. ..

Natural Resources
-Chief Planning Parks...
-Chief Land Management..
-Dir. Plng. Water Res...
-Reg. Wildlife Biolgst..
-Reg. Fisheries Biolgst.
-Supr. Timber Sales.....
-Regional Forester.....
-Regnl. Land Manager....
-Chief Resrc. Allocatn..

Watershed Consvn. Dist..

Bloc Planning Committee.

Mun. Affairs
-Sr. Dist. Plner..
-Nothrn. Plng. Br.

Dist. Plng. Board.

Cultural Affairs
-Dir. Hist. Res...

AC = Approved Conditional
NC = No concerns/objections
D = Disapprove
X = No reply received
CT = Comment received.

| Recommendations | Council Resolution #/Date | C.L.C.C. (Date) |
|---|---|---|
| Deferred | | |
| Approved | | |
| Disapproved | | |

C.L.C.C. Comment:

Signature _____

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... XIV. AGRICULTURAL CROWN LAND SALES

**Section** ..... C. Sale Review Procedure

Crown Land Sales Clearance

APPEAL

Location_____ R.M./L.G.D._____

Date Rec'd_____ Circulated_____ Replies Requested_____

Applicant's Name_____ Lease #_____

Applicant's Address_____

LAND DESCRIPTION (if different from "Location", above):

---

Initial Review

M.T.S. ☐
Hydro ☐

Gov't Services
-Lanc Acq. Br. ☐

Northern Affairs
-A/Dir. Com. Ser. ☐

Highways & Transp.
-Dir. Plng.& Dsgn. ☐

Energy & Mines
-Mining Recorder ☐

Agriculture
-A.D.D. Represntv. ☐

Natural Resources
-Chief Planning Parks ☐
-Chief Land Management ☐
-Dir. Flng. Water Res. ☐
-Reg. Wildlife Biolgst ☐
-Reg. Fisheries Biolgst ☐
-Supr. Timber Sales ☐
-Regional Forester ☐
-Regnl. Land Manager ☐
-Chief Resrc. Allocatn ☐

Watershed Consvn. Dist. ☐
Bloc Planning Committee ☐

Mun. Affairs
-Sr. Dist. Plner. ☐
-Northn. Flng. Br. ☐
Dist. Flng. Board ☐

Cultural Affairs
-Dir. Hist. Res. ☐

AC = Approved Conditional
NC = No concerns/objections
D = Disapprove
I = No reply received
CT = Comment received.

Council Resolution / # / Date:

C.L.C.C. Recommendation: Date_____:

---

Appeal Review

Appellant's Comments:

_____

Additional Comments:

_____

C.L.C.C. Determination:

_____

P.L.U.C. Comments:

Signature_____

D. REASONS FOR REJECTING SALES TO DECEMBER, 1983

1. Crown land disapproved for sale by the Local Council or Planning District Board.

2. Crown lands disapproved for sale by the Watershed Conservation District Board.

3. Crown Lands identified for future highway purposes; sand, gravel, granular sources, road re-location, borrow material, or highway widening.

4. Crown lands subject to flooding by a less than two year flood along a stream where flooding seldom extends into the growing season would not be available for sale.

5. Crown lands subject to flooding by less than a five year flood along a stream where flooding frequently extends into the growing season would not be available for sale.

6. Crown lands adjacent to lakes would not be approved for sale where the frequency of flooding is estimated to be 10 years or less.

7. Crown lands identified as within Polder III, Pasquia which has a history of flooding. Located near the water retention area with elevations below the full supply levels of the retention site.

8. Crown lands with a major drainage problem (e.g., part of an area which is basin like and until drainage can be installed should not be sold).

9. Crown lands identified as a water catchment or retention area.

10. Crown lands identified within the Lake Winnipeg Water Power Storage Reserve, McArthur Water Power Licence Area, proposed Dauphin River Water Storage Reserve.

11. Crown lands identified for water works purposes (e.g., located along the Portage Diversion, adjacent to overflow reach of the Diversion, water works rights-of-way).

12. Crown lands identified for watershed management and protection.

13. Crown lands identified as marsh or bog or fen or slough.

14. Crown lands identified as having mineral potential (e.g., potential quarrying sites-dolomite; area provides aggregate material at a lower cost; industrial minerals source of high potential).

15. Crown lands identified as subject to potential excessive erosion (e.g., steep slopes; bank instability; soils in the dune phase, complex topography).

16. Crown lands identified for recreation purposes (e.g., park and cottage development, Class III beach, expansion of park).

17. Crown lands identified for forestry purposes (e.g., Class 4 white spruce site, tree plantation, islands as seed source).

18. Crown lands identified as a possible addition to a Provincial Forest (e.g., Spruce Woods).

19. Crown lands identified for fisheries habitat protection, that is protection of spawning habitat, protection against silt and nutrient loading (e.g., Mantagao River System, Point River, Red Deer Lake, German Creek, Waywayanagan River and Pine River Marsh, Garland Creek).

20. Crown lands identified as wildlife priority areas, that is habitat protection, high production areas etc. includes wildlife project areas (e.g., Ducks Unlimited Projects) high and high potential waterfowl production areas, areas of high deer counts, CLI Class 1, 2 or 3 wildlife habitat wintering areas, area of good furbearer production (e.g., muskrat), wildlife travel corridors, waterfowl staging area.

21. Crown lands identified as having low agricultural capability and limited development potential.

22. Crownlands to be retained for the protection of water quality and supply of downstream users.

23. Crown lands identified as a possible Wildlife Management Area or addition to a WMA is a WMA or Public Shooting Ground.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... XIV. AGRICULTURAL CROWN LAND SALES

**Section** ..... D. Reasons for Rejecting Sales

24. Crown lands identified as an island with recreational value.

25. Crown lands required for access to other lands or to shorelands for public use.

26. Crown lands identified as shoreland significant to migratory staging and breeding of waterfowl, Class III for recreation.

27. Crown lands identified as having potential archaeological significance.

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# Crown Land Classification Committee POLICY & PROCEDURES MANUAL

**Chapter** ..... XV. CROWN LAND EXCHANGES

**Section** ..... A. Crown Land Classification Committee Responsibility and Process

## A. CROWN LAND CLASSIFICATION COMMITTEE RESPONSIBILITY AND PROCESS

The Crown Land Classification Committee has been given the responsibility of reviewing all Crown land exchanges and purchases for resource use purposes. As such the Committee is routinely involved in the Local Government District Land Exchange program.

The Crown Land Classification Committees' responsibility and process for the land exchanges are the same as for the sales program.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

Chapter ..... XV. CROWN LAND EXCHANGES

Section ..... B. Exchange Review Procedure

B. EXCHANGE REVIEW PROCEDURE

The review process is the same as for the sales program.

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# Crown Land Classification Committee
# POLICY & PROCEDURES MANUAL

**Chapter** ..... XV. CROWN LAND EXCHANGES

**Section** ..... C. Reasons for Rejecting Possible Exchanges

## C. REASONS FOR REJECTION POSSIBLE EXCHANGES

The Crown Land Classification Committee uses the same reasons approved by the Provincial Land Use Committee in dertemining the suitability of Crown lands for possible sale in their determining of Crown Land Exchanges, see XIV.D.